An examination of the ethics of contraception with reference to recent Protestant and Roman Catholic thought

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Abstract

In the twentieth century, the British attitude towards contraception shifted largely from one of prohibition to one of moral indifference. In the main, these continue to be the two different attitudes towards contraception found in contemporary society. The purpose of this thesis is to examine them and to ask whether there may be unexplored middle ground between them.

The shift between these two approaches is explored by investigating the Anglican Lambeth Conference of 1930. This Conference rejected the prohibitive norms against contraception, but gave little attention to whether there may be other moral norms which should govern its use. In contrast, the Roman Catholic Church has consistently taught that contraception is wholly illicit. Different defences of this teaching by significant Roman Catholic moral theologians are investigated in this thesis and found wanting. Yet this does not mean that moral indifference to contraception is acceptable or that there are no moral principles which govern its use.

Initial insights into such moral principles are gained from a study of the relevant work of some important Protestant theologians. These theologians, however, chiefly focus on the serious reasons which they take to be necessary to justify the use of contraception, whereas, it is contended that in the contemporary context it is better to develop a positive case for the good of having children. Such a case, resting on a proper appreciation of the family as an expression of the common good, emerges here through a critique of dominant contemporary attitudes towards having children.

The analysis of the two contrasting attitudes towards contraception in contemporary society shows them to be false alternatives. However, the exploration of the middle ground between them enables a re-framing of the question of contraception, from which the beginnings of a new perspective on having children is found.

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Part Two: A Theological Response to the Contemporary Debate About Having Children

For Oscar, who we welcomed into the world on 15 April, 2005.

Acknowledgements

I am most grateful to the Church of England, King's College Theological Trust, the Pollard Bursary Fund and the Cleave Cockerill Trust for funding this project. I would also like to thank the many people who inspired and supported me in the course of researching and writing this thesis: particularly Michael Banner, my supervisor, for his wise and patient guidance; the staff and students of King's College, London, especially Richard Burridge, Moira Langston and Chris Roberts; the staff and students of Ridley Hall, Cambridge, where I was training for ordination when I began to research this thesis, especially my tutor, Mike Thompson; Sam and Jo Wells, Dave Leal and Amy Laura Hall for being valued academic colleagues and friends; and Jenny Baker, Adrian Vincent and Tessa Beverley for their proof-reading, advice and friendship.

I am also grateful to those who have supported me spiritually over the last few years: especially Jo Bailey Wells and the chapel congregation of Clare College, Cambridge; Steve Paynter and the congregation of St. Mary's, Ealing; and also Jane Keiller, the late Christopher Lowe, and Julie Dunstan. Finally, I would like to thank my family for their encouragement and love, especially my Dad for introducing me to the world of Christian ethics, my grandmas for their hospitality and giving me a place to study, my Mum for her endless practical support, and my husband Mark, without whom this thesis would never have come to life.

Introduction[1]

A) Introduction

In the main, there appear to be two different attitudes towards contraception in contemporary British society. It either seems to be regarded as a matter of moral indifference or its use is thought to be morally wrong. In between these two opposing perspectives there appears to be very little middle ground. On the one hand, the late Pope John Paul II did much to strengthen the teaching of the Roman Catholic Church, which has consistently maintained that the use of contraception is illicit. On the other hand, it appears that the vast majority of the British public presupposes that contraception does not raise any serious moral questions; indeed, it seems to be taken for granted as a basic given of contemporary sexual life.

Often this indifference towards contraception is revealed more by what is *not* said about it than by what is said. In her study of attitudes towards contraception in America, Caroline Bledsoe suggests that while there are discussions of contraception everywhere from periodical articles to television talk shows, its secondary functions and side effects (such as the loss of sexual spontaneity and various health risks) now consume practically all of the attention of American women.[2] While Bledsoe uses this as evidence of how the acceptability of the primary function of contraception (limiting births) is now an assumption 'so much taken for granted' that there is little need to state it openly,[3] it may also reveal how contemporary society is no longer concerned to ask whether contraception raises moral problems. Similarly, when British national newspapers carry articles about contraception, they also tend to be concerned with its side effects (such as the threat it can pose to a woman's health), or the different scientific developments made in relation to it.[4]

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[1] As far as possible, this thesis follows the *MHRA Style Guide: A Handbook for Authors, Editors and Writers of Theses* (London: Modern Humanities Research Association, 2002).
[2] Caroline Bledsoe, 'Contraception and "Natural" Fertility in America', in *Fertility in the United States: New Patterns, New Theories*, ed. by John B. Casterline, Ronald D. Lee and Karen A. Foote (New York: Population Council, 1996), pp. 297-324.
[3] Bledsoe, p. 318.
[4] See for example, Lois Rogers, 'Contraceptive coil may leave women infertile', *The Sunday Times*, 4 March 2001, p. 12; Joanna Coles, 'Hidden pain of the Pill generation', *The Times*, 2

We might surmise from the lack of comment about moral issues associated with contraception that the vast majority of contemporary society now assumes that any such issues have been settled and are no longer a matter for debate. Interestingly, in 1974 Gordon Dunstan commented in *The Artifice of Ethics* that popular discourse has for some time been preoccupied with the side-effects of contraception rather than its morality:

> [...] Consciences are less exercised now by the general liceity of contraception - that is very widely accepted - than by the expediency of particular methods, for example hormonal anovulant preparations, which, though warranted as 'safe' and harmless on a very wide statistical scale by all the tests so far formulated, constitute nevertheless a known risk to a minute, and unidentified, statistical minority.[5]

We find ourselves, therefore, faced with a situation in which moral considerations about the use of contraception seem to have become irrelevant in the popular mind. David Matzko McCarthy points out that in such a climate, attempts to raise moral questions about the use of contraception often appear to be irrational. As an example of the way in which *The Washington Times* has tended to treat the issue of contraception, Matzko McCarthy states:

> News stories on the 1994 conference, in Cairo, on population and development raised issues of birth control in the context of stories on the politics of the Vatican. Birth control is not interesting, but seemingly irrational (religious) efforts to oppose it are, apparently, fascinating.[6]

The general assumption that contraception no longer raises serious moral considerations seems to be as pervasive in the Protestant churches as in the rest of society. Again, this does not tend to be revealed by what is said about contraception, but by what is *not* said. For example, *Some Issues in Human Sexuality,* a recent Church of England discussion document written by a group appointed by the House of Bishops, does no more than briefly note the changes in the resolutions on contraception at the Lambeth Conferences

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August 2001, pp. 6-7; Oliver Wright, 'Decade of Pill use doubles risk of cervical cancer', *The Times*, 4 April 2003, p. 18; Anjana Ahuja, 'Keep taking the Pill, it's still safe', *The Times*, 22 May 2003, section T2, pp. 4-6.

[5] Gordon R. Dunstan, *The Artifice of Ethics* (London: SCM, 1974), p. 49.

[6] David Matzko McCarthy, *Sex and Love in the Home* (London: SCM, 2001), p. 242 note 6.

between 1908 and 1968.[7] It concludes that 'the Church of England, in a relatively short period of time, accepted what had previously been regarded as morally unacceptable'.[8] The document offers no more discussion of the moral questions which might be raised by the use of contraception and so appears to be working with the assumption that these Lambeth Conferences adequately settled any moral difficulties involved. Indeed, Adrian Thatcher comments that when the 1930 Lambeth Conference approved the use of contraception, the bishops 'took a brave step which is no longer questioned in the Anglican church'.[9]

However, at least *Some Issues in Human Sexuality* actually makes brief mention of the changing attitude towards contraception in church and society in twentieth century Britain. In contrast, *Something to Celebrate: Valuing Families in Church and Society*, a report published by the Church of England's Board for Social Responsibility in 1995, refers to the increased use of contraception only in passing and nowhere recognises that moral questions have been asked about its use in the past, or that some such questions may still be pertinent today.[10]

A brief but significant comment made by Rowan Williams, the current Archbishop of Canterbury, towards the end of his article 'The Body's Grace', may also be indicative of how the Anglican church tends to assume that the morality of contraception is a matter which has been settled. He comments:

> In a church that accepts the legitimacy of contraception, the absolute condemnation of same-sex relations of intimacy must rely either on an abstract fundamentalist deployment of a

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[7] *Some Issues in Human Sexuality: A Guide to the Debate* (London: Church House Publishing, 2003), pp. 20-21. The chairman of the group, Richard Harries, had previously published a similar short article about the changes in Anglican teaching on contraception throughout the twentieth century. See Richard Harries, 'The Anglican Acceptance of Contraception', *Transformation*, 13 (1996), 2-4.

[8] *Some Issues in Human Sexuality*, p. 35.

[9] Adrian Thatcher, *Marriage after Modernity: Christian Marriage in Postmodern Times* (Sheffield: Sheffield Academic Press, 1999), p. 206.

[10] See, Church of England General Synod Board for Social Responsibility, *Something to Celebrate: Valuing Families in Church and Society* (London: Church House Publishing, 1995).

> number of very ambiguous biblical texts, or on a problematic and nonscriptural theory about natural complementarity.[11]

While the Anglican Church may, as Williams asserts, currently accept the legitimacy of contraception, no recent Anglican document seems to set out exactly why this is the case beyond the fact that various Lambeth Conferences passed certain motions to this effect in the early twentieth century. The lack of discussion about the ethics of contraception in contemporary Anglican circles may reveal an underlying assumption that it is a subject which no longer raises any serious moral questions. This is certainly implied by the brevity of Williams's comment on contraception, especially considering the extent to which it is pivotal in his argument about homosexuality.

Indeed, in comparison to the attention given to the question of contraception in Roman Catholic circles, it has not been the subject of a sustained Protestant discussion since the Lambeth Conferences of the early-mid twentieth century. Adrian Thatcher comments, 'there is almost complete silence among the Protestant churches about contraception, whereas from the Roman Catholic hierarchy, there is strident, regular condemnation of all forms of it (except for the rhythm method).'[12] Similarly, in a recent symposium to mark the thirtieth anniversary of Pope Paul VI's encyclical *Humanae Vitae*,[13] a number of the Protestant contributors remarked that the Protestant churches had generally regarded contraception as a Roman Catholic preoccupation, and had therefore failed to develop appropriate arguments for dealing with it.[14]

This is not to say that there are no Protestant scholars who consider that contraception is an important moral issue, rather that it has not been the subject of a sustained discussion. A couple of more popular recent works written by American Protestants have actually opposed

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[11] Rowan Williams, 'The Body's Grace', in *Theology and Sexuality: Classic and Contemporary Readings*, ed. by Eugene F. Rogers (Oxford: Blackwell Publishers, 2002), pp. 309-321 (p. 320).

[12] Thatcher, p. 172.

[13] Paul VI, *Humanae Vitae*, issued 25 July 1968, NC News Service Translation (Boston, MA: Pauline Books and Media, [n.d.]).

[14] See contributions by Harold O. J. Brown, Gilbert Meilaender and Philip Turner, and R. Albert Mohler, Jr., 'Contraception: A Symposium', *First Things*, 88 (1998), 17-29.

the use of contraception. These include Charles Provan's *The Bible and Birth Control*[15] and Sam and Bethany Torode's *Open Embrace*.[16] However, neither work offers a substantial theological engagement with the question of contraception, nor treats the complexity of the Roman Catholic arguments; indeed, the Torodes' support for natural family planning seems to be founded upon John Paul II's personalist approach to sexual relations.

A more scholarly Protestant engagement with the question of contraception and the Catholic arguments against it can be found in Adrian Thatcher's *Marriage after Modernity*.[17] Thatcher provides a helpful initial inquiry into some of the arguments of *Humanae Vitae*. However, he lacks an in-depth examination of John Paul II's personalist approach which, as we will argue later, has significantly developed the arguments of Paul VI's encyclical. Apart from these more popular or introductory inquiries into the moral questions raised by contraception, there has been no serious discussion of the subject in Protestant circles in recent years. Neither has there been much serious in-depth engagement with the Roman Catholic arguments against contraception from a Protestant perspective, or many well-argued treatments of why Protestants may consider these arguments to be flawed.

So far, we have noted the contrast between the moral indifference towards contraception which pervades both contemporary society and the Protestant churches, and the prohibition of its use in the Roman Catholic Church. This thesis will therefore examine these two opposing positions more closely, and ask whether there may be some unexplored middle ground between them. Our search for such 'middle ground' will not be an attempt to find a compromise between the two different attitudes towards contraception, but will seek to discover whether there may be morally significant territory between them which has so far been unexamined.

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[15] Charles D. Provan, *The Bible and Birth Control* (Monongahela, PA: Zimmer Printing, 1989).
[16] Sam and Bethany Torode, *Open Embrace*: *A Protestant Couple Rethinks Contraception* (Grand Rapids, Michigan: Eerdmans, 2002).
[17] Thatcher, chapter 6.

In attempting to undertake this task, we will be concerned with the broad moral principles involved in the use of contraception, rather than with detailed casuistical situations which may arise in relation to its use. In other words, our concern will not be to discuss specific difficulties (such as the use of contraception amongst teenagers, or how some methods of contraception might be able to help prevent the spread of HIV in Africa) but with the general moral principles which govern the use of contraception. Equally, because we will approach the subject in this manner, we will not be treating questions about specific methods of contraception. Certain methods of contraception (such as those which act as post-conceptive abortifacients and sterilization) are often regarded as more morally problematic than some of the other methods;[18] however, we will focus upon the moral problem of contraceptives *qua* contraceptives.

Furthermore, as the aim of this thesis is to explore the two different attitudes towards contraception in contemporary society, and to investigate whether there may be some unexplored territory between them, the remit of this thesis is very different to that of John Noonan's weighty and authoritative treatment of the subject.[19] His investigation of the teaching of the Roman Catholic canonists and theologians on contraception provided a comprehensive history of the subject until the mid-1960's. He then published an enlarged edition twenty years later,[20] but the additional appendix failed to treat the debates surrounding *Humanae Vitae* in any detail, and also revealed Noonan's previously concealed pro-contraception agenda. Given Noonan's work, it is not necessary for this thesis to provide a comprehensive history of the ethics of contraception. However, it will provide a more detailed examination of some of the Protestant approaches to contraception in the twentieth century, as well as an analysis of some of the important developments in Roman Catholic thought since the publication of Noonan's work. In addition, in the final chapter we will also

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[18] See for example, Oliver O'Donovan, 'Marriage and the family', in *Obeying Christ in a Changing World*, general editor John Stott, 3 vols (London: Fountain Books, 1977) III: *The Changing World*, ed. by Bruce Kaye, pp. 94-114.

[19] John Noonan, *Contraception: A History of its Treatment by the Catholic Theologians and Canonists* (Cambridge, MA: The Belknap Press of Harvard University Press, 1966).

[20] John Noonan, *Contraception: A History of its Treatment by the Catholic Theologians and Canonists*, enlarged ed. (Cambridge, MA: The Belknap Press of Harvard University Press, 1986).

attempt to provide a theological engagement with contemporary attitudes towards the use of contraception.

B) The structure of this thesis

We have suggested that moral indifference towards contraception seems to be pervasive within the Protestant churches. However, this has not always been the case. During the twentieth century, the attitude of the British public towards contraception shifted largely from one which favoured prohibition to one of moral indifference. This shift was paralleled in the Protestant churches. One notable example of this shift is the 1930 Lambeth Conference, at which the Anglican Church first decided that the use of contraception was permissible in certain specific circumstances. The first chapter of this thesis will therefore provide a case study of some of the arguments, influences and pressures which contributed to this shift in attitude by analysing this Conference. Furthermore, at that time Anglican moral thought on the subject developed out of a tradition of English social thought; hence this chapter will be as much a case study of the shift of attitude towards contraception within English social thought as the shift in Anglican moral thought. From our analysis of this example, we will suggest that this shift was not supported by convincing moral arguments.

In the following three chapters, our attention will turn to the arguments which propose that the use of contraception is prohibited. Here we will examine the official teaching of the Roman Catholic Church, which continues to condemn the use of contraception as morally wrong. The most significant and authoritative Roman Catholic document written in condemnation of contraception continues to be Paul VI's encyclical, *Humanae Vitae.* However, there are a number of different defences of the encyclical's teaching, largely determined by distinct approaches to natural law. Chapter two will introduce three different defences of the encyclical, as well as the content of the encyclical itself. Only two of these defences continue to be seriously proposed today: the personalist interpretation, as exemplified in the writing of the late John Paul II, and that based on a theory of basic goods, as expounded by Germain Grisez and John Finnis. Having outlined the basic tenets of their

positions in chapter two, we will then provide a more detailed examination of John Paul II's arguments in chapter three, and Grisez and Finnis' arguments in chapter four.

In the third chapter, we will suggest that John Paul II offers a significant personalist development of the arguments found in *Humanae Vitae*. He emphasises the mutual dependency of the procreative and unitive meanings of the sexual act, so that his argument against contraception is essentially concerned with the very nature of love. In recent years, John Paul II has been one of the most significant public voices challenging contemporary attitudes towards marriage, sex and contraception. Lisa Sowle Cahill suggests:

> We are in an era in which procreation has been reduced to an incidental meaning of sex, usually to be avoided, and certainly to be accepted only if freely chosen. The deep associations and mutual reinforcements of sex, love, and parenthood are missing [...]. But it is the unity of sex, love and parenthood in this broader sense that is probably the major message Roman Catholicism has to offer today's young adults, who more easily see that sex expresses love than that sexual love leads to permanent commitment, parenthood, and family.[21]

However, while John Paul II's appreciation of the relationship between openness to procreation and the fostering of the conjugal communion provides some valuable insights for our understanding of the meaning of marital intercourse, we will go on to question his insistence that the fostering of the marital fellowship is dependent upon every individual sexual act being open to procreation.

In the fourth chapter we will examine the objections to contraception made by those who advocate a theory of basic goods, notably Finnis and Grisez. They propose two arguments against contraception: firstly, that it is 'contralife' because it involves a hostile intention against the basic good of life, and secondly, that it is 'contramarital' because it involves a hostile intention against the basic good of marriage. In relation to both of these arguments, we will question whether contraception involves such hostile intentions and, if it does, whether these intentions are always wrong.

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[21] Lisa Sowle Cahill, 'Can we get real about Sex?', in *Perspectives on Marriage: A Reader*, ed. by Kieran Scott and Michael Warren (Oxford: Oxford University Press, 1993), pp. 207-214 (p. 212).

While this thesis raises certain doubts about the validity of the Roman Catholic arguments against contraception, this does not necessarily mean that moral indifference towards contraception is therefore acceptable, or that there are no moral principles which should govern its use. Hence, the fifth chapter will ask whether there are other norms to guide behaviour in relation to the use of contraception, or whether Christians are entirely at liberty in this area. To answer this question, chapter five will examine the subject of contraception in the work of four Protestant theologians: Karl Barth, Dietrich Bonhoeffer, Helmut Thielicke and Paul Ramsey. While none of these theologians argue that contraception is wholly illicit, they all raise quite similar moral concerns about its use. Following the concerns raised by these Protestant theologians it will be suggested that there are two moral guidelines which might govern the use of contraception. Firstly, a willingness to have children is essential to the nature of marriage (however, such a willingness is compatible with the use of contraception); secondly, contraception should not be used without moral consideration.

These Protestant theologians chiefly focus on the serious reasons which they take to be necessary to justify the use of contraception. However, we will suggest that this is no longer a chief concern in the contemporary context of moral indifference towards contraception. Therefore, we need to find an alternative way forward for the debate on contraception which will take it beyond the contribution of the Protestant theologians. We will propose that one way of doing this might be to attempt to develop a positive case for the good of having children.

Chapter six will therefore broaden out into a wider discussion of contemporary attitudes towards having children. In the first part of the chapter we will analyse and deconstruct the dominant secular narrative about having children, often described by commentators as the notion of 'procreative liberty'. In the second part of this chapter we will explore a theological response to the doctrine of procreative liberty. Chapter six is not intended to provide all the answers to the questions raised by the contemporary debate about having children, rather it is intended to suggest what a theological engagement with the debate might look like. As a result of our critique of the dominant contemporary attitudes

towards having children, we will suggest that the beginnings of a positive case for the good of having children has started to emerge. We will propose that such a case might rest on a proper appreciation of the family as an expression of the common good. Hence, as something of the unexplored middle ground between the two different attitudes towards contraception in contemporary society starts to be opened up, they are revealed to be false alternatives and the question of contraception is re-framed. From this re-framing, initial insights into a new perspective on having children are found.

C) Conclusion

To summarize, the purpose of this thesis is to question the two different attitudes towards contraception in contemporary society, to see whether there may be some unexplored middle ground between them, and to ask what this territory might look like. In discussing both the attitude of prohibition and that of moral indifference, we will engage with recent (twentieth century) Protestant and Roman Catholic writing on contraception, and examine current attitudes towards having children. This thesis seeks to identify whether there may be moral considerations associated with the use of contraception and, in so doing, hopes to demonstrate why it is an ethical subject which should not be dismissed as readily as it is by many people today.

Chapter One

The 1930 Lambeth Conference

1.1 Introduction

In the introduction to this thesis, we suggested that there tends to be two different attitudes towards contraception within contemporary society: one which considers it to be prohibited and that of moral indifference. We also suggested that the assumption that contraception raises few serious moral questions is as pervasive in the Protestant churches as in the rest of contemporary society. We noted, for example, that certain recent Church of England documents appear to assume that any moral issues which might be raised in relation to contraception have already been settled.[1] At the turn of the twentieth century, however, the Protestant churches, like the Roman Catholic Church, also condemned the use of contraception. It was during this century that the attitude of the British public, including the Protestant churches, shifted largely from one which favoured prohibition to one of moral indifference.

The Lambeth Conference of 1930 is a notable example of the shift in attitudes towards contraception. In this first chapter, we will analyse this Conference in order to provide a case study of some of the arguments, influences and pressures which contributed to this shift. It was at this Conference that the Anglican Church first accepted that the use of contraception may be licit in certain circumstances; therefore, in Anglican moral thought it is often considered to be a crucial moment in terms of the debate about contraception. However, given that Anglican moral thought developed out of a tradition of English social thought on the subject, this chapter will discuss significant factors in both the shift in English social thought and the shift in Anglican moral thought.

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[1] See pp. 10-11.

1.2 Factors which contributed to the shift in attitude towards contraception prior to 1930

By 1930, the use of contraception had become 'a normal rather than exceptional characteristic of marital relations'.[2] Given its widespread use, the decision of the Conference to accept the legitimacy of contraception was subsequently criticised by many as simply giving in to popular demand.[3] It was a decision which was made against a complex background of social, scientific, political and economic factors. Insofar as this background inevitably influenced the shift in attitude towards contraception, we will begin this chapter by describing briefly some of the major factors which were particularly significant. We will then turn our attention to the proceedings of the Conference itself, and close by noting the further shift of attitude towards contraception evident at the later 1958 Lambeth Conference.

1.2.i Developments in social science

In 1798, Thomas Malthus published his *Essay on the Principle of Population*.[4] In this essay, Malthus argued that while the population increases exponentially, food supply can only be increased arithmetically:

> [...] The power of population is indefinitely greater than the power in the earth to produce subsistence for man. Population, when unchecked, increases in a geometrical ratio. Subsistence increases only in an arithmetical ratio. A slight acquaintance with numbers will shew (*sic*) the immensity of the first power in comparison of the second. By that law of our nature which makes food necessary to the life of man, the effects of these two unequal powers must be kept equal.[5]

Malthus proposed that the only solution to the discrepancy between the growing population and the limited food supply was to slow population growth. He examined the various

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[2] Richard A. Soloway, *Demography and Degeneration: Eugenics and the Declining Birthrate in Twentieth Century Britain* (Chapel Hill: University of North Carolina Press, 1995), p. 193.
[3] See for example, the comments of Paul Matthews, the Bishop of New Jersey, quoted in *The Church Times*, 24 October 1930, p. 511. Also see, John L. Morgan, 'A Sociological Analysis of Some Developments in the Moral Theology of the Church of England since 1900' (unpublished doctoral thesis, University of Oxford, 1976), p. 288.
[4] Thomas R. Malthus, *An Essay on the Principle of Population*, ed. by Anthony Flew (Middlesex: Penguin, 1970).
[5] Malthus, p. 71.

different checks which already existed (including extreme poverty, war and disease) and discussed which checks ought to be chosen in preference to others. He suggested that checks of 'moral restraint' (such as the postponement of marriage) ought to be encouraged, whereas, he considered 'checks of vice' to be unacceptable methods of slowing the birth rate. Malthus never specifically mentioned contraception, but it is generally assumed that he included it among the 'checks of vice'.[6]

Although Malthus did not propose the use of contraception as a suitable means to curb population growth, his name was adopted by nineteenth century advocates of birth control who organised themselves into a group called the Malthusian League. Initially founded in the 1860s by George Drysdale, the movement failed to attract much attention. However, with the publicity surrounding the obscenity prosecution of Charles Bradlaugh and Annie Besant for the publication of contraceptive literature, public opinion began to change in favour of contraception.[7] In 1878, Charles Bradlaugh set up a new Malthusian League which followed Malthus' principles but advocated the use of contraception as 'a remedy for miseries attributed to overpopulation and over-childbearing'.[8]

A few years before Bradlaugh founded the new Malthusian League, Francis Galton proposed a rather different solution to the problems posed by the demographic trends of the late nineteenth century, especially that of the declining birth rate among the middle and upper classes. Galton was the cousin of Charles Darwin and, following his cousin's theory of evolutionary biology, he devised the theoretical foundations of the science of eugenics. Galton argued in *Hereditary Genius*[9] that the inequality between human beings could be attributed to heredity. The human race would therefore be improved by breeding from the 'best stocks' while also preventing the proliferation of the 'unfit' and 'degenerate'. Applying

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[6] See Anthony Flew's introduction to his edition of *An Essay on the Principle of Population* (Middlesex: Penguin, 1970), pp. 26-33. Also see John Noonan, *Contraception: A History of its Treatment by the Catholic Theologians and Canonists* (Cambridge, MA: The Belknap Press of Harvard University Press, 1966), p. 392.

[7] Noonan, p. 406.

[8] Ibid.

[9] Francis Galton, *Hereditary Genius: An Inquiry into its Laws and Consequences* (Bristol: Thoemmes, 1998).

this biological way of thinking to his anxiety about the demographic trends of his day, Galton developed eugenics as a statistical science of selective breeding which aimed at improving the biological character of the human race. Galton's ideas were well received amongst the English elite who were alarmed by the social, economic, political and cultural changes of the time. As Richard Soloway states in his comprehensive history of the eugenics movement, eugenics gave 'scientific credibility, and, consequently, respectability to attitudes, values, beliefs, prejudices, anxieties, and fears which were prevalent primarily, but not exclusively, among the middle and upper classes'.[10]

A year before the 1908 Lambeth Conference, the Eugenics Education Society (which changed its name in 1926 to the Eugenics Society) was founded in London. Soloway comments that the initial concern of this society was to encourage the fittest classes to have more children, and that most of its elite members were uncertain about endorsing contraception in order to prevent the proliferation of the unfit.[11] This was largely because its middle and upper-class members doubted the respectability of the Malthusian League. Indeed, since the origins of this birth control movement lay in the Bradlaugh-Besant trial of 1877, the neo-Malthusians were 'linked in the minds of decent society to the prurient, the salacious, and the atheistic'.[12] Soloway observes that even as late as 1917, when Havelock Ellis published the first strong endorsement of contraception to appear in the *Eugenics Review*, most of the men and women of the Eugenics Education Society still regarded the public discussion of contraception as distasteful.[13]

1.2.ii Eugenics and contraception at the 1908 Lambeth Conference

The prevalence of eugenic ideas in discussions about population control and contraception is evident in the documents of the 1908 Lambeth Conference. This Conference described contraception as an 'evil' which 'cannot be spoken of without repugnance',[14] and

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[10] Soloway, *Demography and Degeneration*, pp. xxiii-xxiv.
[11] Soloway, *Demography and Degeneration*, pp. 85-88.
[12] Soloway, *Demography and Degeneration*, p. 96.
[13] Soloway, *Demography and Degeneration*, p. 96 and p. 165.
[14] The Encyclical Letter of the Lambeth Conference of 1908, in *The Six Lambeth*

urged 'all Christian people to discountenance the use of artificial means of restriction as demoralising to character and hostile to national welfare'.[15] As Soloway observes, this Conference was permeated by 'qualitative racial considerations' about the declining birth rate.[16] For example, the report of the Conference stated that:

> There is the danger of deterioration whenever the race is recruited from the inferior and not from the superior stocks. There is the world danger that the great English-speaking peoples, diminished in number and weakened in moral force, should commit the crowning infamy of race-suicide, and so fail to fulfill that high destiny to which in the Providence of God they have been manifestly called.[17]

Two of the most influential bishops at the 1908 Lambeth Conference were William Boyd Carpenter, the Bishop of Ripon, and Arthur Foley Winnington-Ingram, the Bishop of London, both of whom opposed contraception on the grounds of eugenics.[18] In 1905, Winnington-Ingram described the dismay with which he viewed 'the diminution of the birth rate, not only in England, but in the colonies'. He also condemned the 'gigantic evil' of the deliberate prevention of conception as 'a practice which, if continued, must eat away the heart and drain away the life-blood of our country'.[19]

At the 1908 Lambeth Conference itself, Boyd Carpenter spoke about the threat posed by the diminishing birth rate to British rule in the colonies and to the survival of the middle-classes. Noting how it was the rich who were refusing to have children, he warned that 'the incapables, the degenerates, the criminals and the imbeciles are increasing almost as fast as they ever did', and that such a trend would not ensure the continuation of a vigorous British race.[20] Furthermore, he warned:

Conferences, 1867-1920: Compiled under the direction of the Most Reverend Randall T. Davidson (London: SPCK, 1929), p. 310.

[15] Resolution 41 of the Lambeth Conference of 1908, in *The Six Lambeth Conferences,* p. 327.

[16] Richard A. Soloway, *Birth Control and the Population Question in England, 1877-1930* (Chapel Hill: University of North Carolina Press, 1982), p. 101.

[17] 'Report of the Committee appointed to consider and report upon the subject of marriage problems', in *The Six Lambeth Conferences*, p. 402.

[18] See Soloway, *Birth Control*, pp. 96-104.

[19] 'The Bishop of London's Charge', *The Times*, 20 October 1905, p. 14.

[20] William Boyd Carpenter, cited in the proceedings of 10 July 1908 (unpublished papers kept

> [...] If we grow paralysed: if we through luxury refuse to become fathers, if our women shirk from maternity, if we worship wealth and luxury rather than home duties: then be sure that the nations abroad who do not worship wealth, who regard children as better riches than money, who reverence the father of a family more than they do the owner of millions, will come and take our place.[21]

Soloway notes that it was these two episcopal eugenicists who were 'instrumental' in persuading the 1908 Lambeth Conference to denounce contraception and to call for a return to the Christian ideal of fruitful, reproductive marriages.[22]

1.2.iii Eugenics and contraception in the inter-war years

One of the key founding members of the Eugenics Education Society was William Ralph Inge, who became the Dean of St. Paul's in 1911, and who Soloway describes as 'the most visible and outspoken of eugenicist preachers'.[23] Like his fellow members of the Eugenics Education Society, Inge was initially skeptical about encouraging the use of contraception in order to stem the proliferation of the 'feeble-minded', preferring policies which encouraged the fit to breed. However, with the dysgenic effects of the First World War (the loss of many men from the 'best stocks') and the ever declining birth rate, Inge and the Eugenics Education Society soon realised that they would have to change their approach.[24] Hence, the Society slowly began to advocate the use of contraception by the poor and degenerate as the solution to the population problem.[25] Thus Soloway comments that by the end of the 1920's, 'in contrast to the prewar and immediate postwar period, eugenics was

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at Lambeth Palace), p. 32.

[21] William Boyd Carpenter, cited in the proceedings of 10 July 1908 (unpublished papers kept at Lambeth Palace), p. 37. It was widely believed that economic considerations were the reason for the increasing use of contraception among the middle and upper classes. However, Soloway suggests that other factors were also influential. See Soloway, *Demography and Degeneration*, pp. 89-94.

[22] Soloway, *Demography and Degeneration*, p. 88.

[23] Soloway, *Demography and Degeneration*, p. 83.

[24] See Soloway, *Demography and Degeneration*, chapter 7, 'The Dysgenics of War'.

[25] See Soloway, *Demography and Degeneration*, chapter 8, 'Eugenics and the Birth Control Movement, 1918-1930'.

deeply enmeshed in birth control. Indeed, negative or preventative eugenics had almost entirely eclipsed the positive schemes for race culture so central to Galton's utopian vision.'[26]

This shift from the advocacy of positive to negative eugenics can be seen in Inge's writing, as well as in official church documents. So, in his early writings, Inge tends to encourage the middle-classes to have more children and tries to dissuade them from using contraception. For example, in an article published in 1917, Inge states that while the use of 'preventives' must be 'left to the taste and conscience of the individual', nevertheless he regards them as 'a *pis aller* which high-minded married persons should avoid if they can practice self-restraint'.[27] Instead, he encourages the British to have more children in order to people the colonies of the British Empire.[28]

Such a policy was also favoured by a report issued in 1916 by the National Birth-Rate Commission, which was co-chaired by Boyd Carpenter and Inge, and was composed largely of clergy from the different denominations.[29] It stated, 'if we value our national type should we not desire its diffusion? For the sake of the backward types even that they may be advanced by our influence to a better standard of life and thought, should we not desire the preservation and expansion of our people?'[30]

The Lambeth Conference of 1920 also condemned contraception as a 'threat to the race', and reminded people that the primary purpose of marriage was the continuation of this race through the gift of children. Resolution 68 stated:

> The Conference, while declining to lay down rules which will meet the needs of every abnormal case, regards with grave concern the spread in modern society of theories and practices hostile to the family. We utter an emphatic warning against the use of unnatural means for the avoidance of conception, together with the grave dangers - physical, moral and

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[26] Soloway, *Demography and Degeneration*, p. 189.
[27] William Ralph Inge, 'The Birth-Rate', *The Edinburgh Review*, 225 (1917), 62-83 (p. 77).
[28] Inge, 'The Birth-Rate', p. 82.
[29] See, National Council of Public Morals, National Birth-Rate Commission, *The Declining Birth-Rate: Its Causes and Effects* (London: Chapman and Hall, 1916).
[30] *The Declining Birth-Rate*, p. 74.

> religious - thereby incurred, and against the evils with which the extension of such use threatens the race. [31]

It was during the 1920's that the shift from positive to negative eugenics took place and it began to be widely acknowledged that contraception may have a place within the eugenic project. Indeed, by 1922, Inge had recognised that 'it is useless, under present conditions, to lecture the well-to-do on the duty of having large families' and that 'negative eugenics - the prevention of the multiplication of undesirable types - is more important than positive'.[32] Arguing that the people breeding in the British slums are 'a new type of sub-men, abhorred by nature, and ugly as no natural product is ugly',[33] Inge suggested that 'feeble-mindedness...cannot be bred out of a family in which it has established itself, but it could be eliminated by bringing the infected stock to an end'.[34] He continued:

> Persons with a definite transmissible taint ought not to be allowed to procreate. [...] The reckless must be restrained by the state. For it is obvious that when the state takes upon itself the burden of providing for all the defectives that are born, it is entirely within its rights in insisting that the number of these worse than useless mouths shall not be wantonly increased.[35]

Therefore, by the Lambeth Conference of 1930, Inge and other influential Modernist clergy such as Ernest William Barnes, the Bishop of Birmingham, were advocating the use of contraception for eugenic purposes.[36] Furthermore, both of these men were also proposing that eugenics can be justified by Christianity. For example, Barnes argued that 'when religious people realise that, in thus preventing the survival of the socially unfit, they are working in accordance with the plan by which God has brought humanity so far on its road, their objections to repressive action will vanish'.[37] In a similar vein, Inge cites verses from the Gospels that he considers to be eugenic in character and then states, 'Sir Francis Galton used

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[31] Resolution 68 of the Lambeth Conference of 1920, in *The Six Lambeth Conferences*, p. 44.
[32] William Ralph Inge, *Outspoken Essays*, 2nd Series (London: Longmans, Green and Co., 1922), p. 271.
[33] Inge, *Outspoken Essays*, p. 266.
[34] Inge, *Outspoken Essays*, p. 258.
[35] Inge, *Outspoken Essays*, p. 271.
[36] See for example, William Ralph Inge, 'The Modern Outlook in Ethics', *The Modern Churchman*, 20 (1930), 257-273 (pp. 268-271).
[37] Ernest William Barnes, *Should such a Faith Offend? Sermons and Addresses* (London: Hodder and Stoughton, 1928), p. 288.

to say that eugenics ought to be a religion. It is a religion, and its name is Christianity. The Gospels contain the most uncompromising eugenic utterances.'[38]

However, it was not only the advocates of contraception who were employing eugenically based arguments by the 1930 Lambeth Conference; those opposed to it continued to appeal to eugenics, as they had done at the 1908 and 1920 Conferences. For example, Charles Gore, one of the most notable opponents of contraception, told the National Birth Rate Commission in 1925, 'I do believe in the danger of race suicide, or the diminution of the best kind of stock which we should most desire to see propagated.'[39] Gore continues, 'so far from the idea that birth control was a method likely to improve stock, all our experience shows that it tends in the opposite direction.'[40] Indeed, in a pamphlet originally published in 1927, Gore opposed the birth control movement, contending that:

> [...] The public evidence - especially as it has been collected and summarized for France - does show unmistakably that the movement is a decadent movement, rooted in immoral selfishness, and disastrous in its results on any nation or class or race which gives it free admittance. And my present point is that these general considerations should deeply influence the judgment of any one who wants to know whether the thing (birth control) is 'right or wrong in itself'.[41]

Therefore, by the 1930 Lambeth Conference, both the opponents and supporters of contraception were employing eugenically based arguments. However, it should also be noted that arguments in favour of contraception developed prior to 1930 were not only eugenic in character. Indeed, another contributory factor in the change of attitude towards contraception in early twentieth century Britain was the increased significance with which the marital fellowship, or 'secondary end', was regarded.

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[38] William Ralph Inge, *Christian Ethics and Moral Problems* (London: Hodder and Stoughton, 1930), p. 271. See also Inge, *Outspoken Essays*, p. 273.
[39] Statement made by Charles Gore, in National Council of Public Morals, *The Ethics of Birth Control: Being the report of the special committee appointed by the National Council of Public Morals in connection with the investigations of the National Birth-Rate Commission* (London: Macmillan, 1925), p. 69.
[40] *The Ethics of Birth Control*, p. 73.
[41] Charles Gore, *The Prevention of Conception commonly called Birth Control*, 3rd edn (London: A. R. Mowbray, 1930), p. 18. Also see Charles Gore, *Lambeth on Contraceptives* (London: A. R. Mowbray, 1930), pp. 9-14.

In the years around the First World War, the importance of the marital relationship was widely discussed, both outside and inside the Church. For example, it was the subject of much interest at the 1924 'Conference on Christianity, Politics, Economics and Citizenship' (COPEC).[42] Several commentators also see the changes made to the Prayer Book's description of the causes for which marriage was ordained, as an indication of the increasing importance of the secondary end.[43] It was the change made to the second of the three purposes of marriage which is often regarded as highly significant. In the 1662 version, the second purpose of marriage is described as 'a remedy against sin, and to avoid fornication; that such persons as have not the gift of continency might marry, and keep themselves undefiled members of Christ.'[44] Whereas, the 1928 version changed this to, '[marriage] was ordained in order that the natural instincts and affections, implanted by God, should be hallowed and directed aright; that those who are called of God to this holy estate, should continue therein in pureness of living.'[45] Derrick Sherwin Bailey later commended this change because 'it is less offensive, and has positive value in that it recognises sex as a gift of God, and marriage as a vocation'.[46]

In such a climate, it began to be argued by some that the fostering of marital love and intimacy through regular sexual intercourse could be greatly enhanced by the use of artificial contraception. This was the theme of the influential book *Married Love* which was published

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[42] See 'The Relation of the Sexes', in *The Proceedings of C.O.P.E.C.: A Report of the meeting of the Conference on Christian Politics, Economics and Citizenship, Birmingham, April 5-12, 1924*, ed. by W. Reason (London: Longmans, 1924).
[43] See A. A. David, 'Marriage and Birth Control', in *Marriage and Birth Control* by A. A. David and M. B. Furse (London: James Nisbet, 1931), pp. 7-23 (p. 13). Also see Derrick Sherwin Bailey, *The Mystery of Love and Marriage: A Study in the Theology of Sexual Relation* (London: SCM, 1952), pp. 101-105. Also see, Richard Harries, 'The Anglican Acceptance of Contraception', *Transformation*, 13 (1996), 2-4 (p. 3).
[44] 'The Form of the Solemnization of Matrimony', in *The Book of Common Prayer* (Cambridge: Cambridge University Press, [n.d.]), pp. 301-311 (p. 302).
[45] 'The Solemnization of Matrimony (1928)', in *The Shorter Prayer Book: Being an Abbreviated Form of the Book of Common Prayer with Some Additional Matter* (Cambridge, Cambridge University Press [n.d.], 10th impression), pp. 121-130 (pp. 121-122).
[46] Bailey, *The Mystery of Love and Marriage*, p. 105.

by Marie Stopes in 1918.[47] However, various different churchmen also began to advocate this line. For example, at the Church Congress in 1921 a controversial speech by Lord Dawson of Penn, the King's personal physician and one of the leading lay members of the Anglican Church, was highly significant.[48] He argued that the use of contraception in marriage was valid because 'sex had, apart from parenthood, a purpose of its own. It was something to cherish for its own sake and an essential part of health and happiness in marriage.'[49]

1.3 The proceedings of the 1930 Lambeth Conference

Having noted the influence of various social, political and economic factors on the shifting attitude towards contraception, and in particular the prevalence of eugenics, we will now examine the proceedings of the 1930 Lambeth Conference, and a collection of responses to it, before returning to the question of how eugenic ideas were also dominant at the Conference.

The Conference delegates were keenly divided about whether the use of contraception was or was not morally licit. The resolutions pertaining to contraception were amended several times by the sub-committee on marriage and sex in an attempt to reach a compromise which would not only satisfy the majority of the Conference delegates, but also appeal to wider society. The Bishop of Liverpool, A. A. David, commented after the Conference that 'the committee was exceedingly anxious to meet every degree of conscientious difficulty, in so far as this could be done without calculated ambiguity. Whether they succeeded in conveying their meaning clearly enough to the ordinary people is a matter of opinion.'[50]

David's comment reveals one of the key difficulties with the conclusions reached by the Conference. The result of Lambeth 1930 was a series of resolutions on contraception

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[47] Marie Stopes, *Married Love: A New Contribution to the Solution of Sex Difficulties* (London: Victor Gollancz, 1995). Orig. pub by A.C. Fifield, 1918.
[48] See, 'Church Congress and Present Day Morals', *The Manchester Guardian*, 12 October 1921, pp. 7-8 (p.8).
[49] Ibid.
[50] A. A. David, 'Marriage and Birth Control', p. 18.

which commended themselves as inclusive of a variety of approaches but which, in terms of moral theology, appear vague and opaque. This was especially the case with Resolution 15 which, both before and after the Conference, was the most keenly debated and contentious of the resolutions. Rather than proposing an unqualified acceptance of contraception, it stated that the use of contraception was only permissible when various criteria had been satisfied. It was adopted by 193 votes to 67 (with 46 not voting) and read:

> Where there is a clearly felt moral obligation to limit or avoid parenthood, the method must be decided on Christian principles. The primary and obvious method is complete abstinence from intercourse (as far as may be necessary) in a life of discipline and self-control lived in the power of the Holy Spirit. Nevertheless in those cases where there is such a clearly felt moral obligation to limit or avoid parenthood, and where there is a morally sound reason for avoiding complete abstinence, the conference agrees that other methods may be used, provided that this is done in the light of the same Christian principles. The conference records its strong condemnation of the use of any methods of conception-control from motives of selfishness, luxury or mere convenience.[51]

By admitting that it 'may be used' in some situations, the Conference was asserting that contraception was morally licit in itself. However, by surrounding its use with moral caveats they were clearly trying to emphasise that its use was rarely licit. Interestingly, although the 1930 Lambeth Conference is seen as the decisive moment in terms of the position of the Anglican Church on contraception, its conclusion was not substantially different to that reached by the 1920 Lambeth Conference. This earlier Conference did not condemn contraception as intrinsically wrong either, resolving that 'the Conference, while declining to lay down rules which will meet the need of every abnormal case, regards with grave concern the spread in modern society of theories and practices hostile to the family'.[52] Indeed, in his opening speech to the 1930 Lambeth Conference, the Bishop of Southwark, Cyril Foster Garbett, stated, 'at our last conference we avoided and avoided quite deliberately, [...], condemning contraceptives *per se*. We admitted that there might be abnormal cases which would have to be treated on their own merits.'[53]

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[51] Resolution 15 of the 1930 Lambeth Conference, in *The Lambeth Conferences, 1867-1948: The reports of the 1920, 1930 and 1948 conferences with selected resolutions from the conferences of 1867, 1878, 1888, 1897 and 1908* (London: SPCK, 1948), p. 166.
[52] See, *The Six Lambeth Conferences*, p. 44. Also see Kenneth E. Kirk, *Conscience and its Problems*, 3rd edn. (London: Longmans, 1936), p. 293; and Kenneth E. Kirk, 'Four Cases of Conscience II', *Theology*, 11 (1925), 76-85 (pp. 81-84).
[53] Cyril Foster Garbett cited in the proceedings of 8 July 1930 (unpublished papers kept at

Although the 1930 Conference allowed the use of contraception, it also reiterated the traditional belief that the primary end of marriage is procreation. However, it did so in the context of affirming the value of the secondary end. Resolution 13 stated:

> The Conference emphasizes the truth that the sexual instinct is a holy thing implanted by God in human nature. It acknowledges that intercourse between husband and wife as the consummation of marriage has a value of its own within that sacrament, and that thereby married love is enhanced and its character strengthened. Further, seeing that the primary purpose for which marriage exists is the procreation of children, it believes that this purpose as well as the paramount importance in married life of deliberate and thoughtful self-control should be the governing considerations in that intercourse. [54]

Our following examination of some responses to the 1930 Lambeth Conference will be dominated by discussion of these two resolutions. One of the most notable theologians to argue that the Conference did not adequately deal with the moral difficulties raised by the question of contraception was the Anglican moral theologian Kenneth Kirk, and we will be primarily concerned with his analysis of the Conference proceedings.

1.3.i Kirk's response to the 1930 Lambeth Conference

According to resolution 15, there are two crucial conditions which need to be met in order for the use of contraception to be legitimate:

a. There must be a clearly-felt moral obligation to avoid or limit parenthood
b. There must be a morally sound reason for avoiding complete abstinence

We will examine Kirk's response to each of these conditions in turn, before noting some other responses to the Conference. In his notes on the 'Lambeth Resolutions on Marriage and Sex',[55] Kirk attempts to draw attention to some of the problems which would need to be

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Lambeth Palace), p. 36.
[54] Resolution 13 of the 1930 Lambeth Conference, in *The Lambeth Conferences, 1867-1948*, pp. 165-6.
[55] See Kenneth E. Kirk, 'Lambeth Resolutions on Marriage and Sex', *The Church Quarterly Review*, CXI (1930), 96-110.

considered 'before the Lambeth resolutions on marriage and sex could be taken as a basis for synodical or episcopal action, or even as a guide to practice for the humblest confessor or layman'.[56]

He begins by repudiating the view that the bishops of the 1930 Conference provided principles which 'merely require systematic amplification along self-evident lines to meet all the questions that may arise'.[57] He continues, 'so far is this from being the case, that the first attempt to advance beyond the actual words of the resolutions at once raises, if not the original issues in a new form, at all events issues as crucial.'[58] Identifying the answers to the issues raised depends, he suggests, on the interpretation of the resolutions. However, such are the omissions and problems with the Lambeth pronouncements, that they 'cannot claim to be either coherent or scientific. It would be sheer hardihood for any Christian, at the present stage, to think himself justified in an attempt to act upon them.'[59]

a. There must be a clearly-felt moral obligation to avoid or limit parenthood

Kirk objects to the use of the phrase 'clearly-felt moral obligation' because the implication that moral obligations are 'in the first place *felt* rather than *discerned*' carries the 'strong taint of subjectivism'.[60] He continues, 'there can be no secure advance either in the fuller education of the clergy in moral theology [...], or in the Christian philosophy of sex [...], for which the Bishops plead, until this phrase and its disastrous implications have been disowned and relegated to obscurity.'[61] However, in order to try to explicate this phrase in relation to birth control, Kirk assumes that 'clearly-felt moral obligation' is meant to convey a 'clearly-discerned duty'.[62]

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[56] Kirk, 'Lambeth Resolutions', p. 96.
[57] Kirk, 'Lambeth Resolutions', p. 96.
[58] Kirk, 'Lambeth Resolutions', p. 96.
[59] Kirk, 'Lambeth Resolutions', p. 97.
[60] Kirk, 'Lambeth Resolutions', p. 108. E. G. Selwyn criticises this phrase for similar reasons in 'The Lambeth Report: First Impressions', *Theology*, 21 (1930), 121-130 (p. 123).
[61] Kirk, 'Lambeth Resolutions', p. 109.
[62] Kirk, 'Lambeth Resolutions', p. 100 and p. 108.

Using this sense of the phrase, Kirk notes the contrast between the relevant section of the Conference report, entitled 'The Life and Witness of the Christian Community', and resolution 15. The report states that 'it will be admitted by all that there are circumstances in married life which justify, and even demand, the limitation of the family by *some* means'.[63] It also states that there are circumstances, notably where the health of the mother is in 'grave danger', which mean that 'it can never be right for intercourse to take place which might lead to conception'.[64]

According to Kirk, this implies that the bishops accept the moral distinction between '"allowable" and "obligatory" actions, or between "permissions" and "duties" [...]; and that they insist that the limitation or avoidance of parenthood must be established as a *duty* and not simply *allowable*, in any given case, before there can be any question of adopting methods to secure that result.'[65] However, while the report seems to acknowledge that such a duty will exist in certain circumstances, Kirk suggests that resolution 15 'nowhere asserts that the avoidance of parenthood does ever in fact become a duty (or can ever be, for a Christian, a "clearly-felt moral obligation"). Still less does it affirm that such cases are likely to be frequent. At most it can only be said to admit their possibility.'[66] Hence, there remains an unresolved conflict between the Conference report and resolution 15 about what a moral obligation to limit or avoid parenthood actually entails.

b. There must be a morally sound reason for avoiding complete abstinence

Kirk states that three questions arise in relation to this second condition for the legitimate use of contraception: '(i) what is meant by "morally sound"? (ii) what "morally

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[63] 'The Life and Witness of the Christian Community', in *The Lambeth Conferences, 1867-1948: The reports of the 1920, 1930 and 1948 conferences with selected resolutions from the conferences of 1867, 1878, 1888, 1897 and 1908* (London: SPCK, 1948), pp. 195-203 (p.200).
[64] Ibid.
[65] Kirk, 'Lambeth Resolutions', p. 101.
[66] Kirk, 'Lambeth Resolutions', p. 100.

sound" reasons does the Resolution contemplate? (iii) why should such "sound reasons" be demanded?'[67]

In relation to the first question, ('what is meant by 'morally sound?'), Kirk observes that because a 'morally sound' reason is not the same as a morally *conclusive* reason, there may be morally sound reasons to pursue either course of action; hence probabilists would maintain that we are free in such cases to follow either alternative. However, according to Kirk, probabilism cannot be employed in matters of grave importance, such as the use of contraception, hence a morally sound reason must here mean 'reasons for avoiding complete abstention of at least as grave moral weight as those for maintaining it'.[68] Given that the resolution describes complete abstinence as the 'primary and obvious method' the moral grounds for maintaining it must be very weighty, and so 'any other method, therefore, will require equally weighty grounds to warrant its adoption in any particular case'.[69]

In relation to the second question, ('what "morally sound" reasons does the Resolution contemplate?'), Kirk notes that neither resolution 15 nor the report seriously contemplates the morally sound reasons for avoiding complete abstinence. All that the report states is that 'there exist moral situations which may make it obligatory to use other methods. To a certain extent this obligation is affected by the advice of medical and scientific authority.'[70] However, Kirk comments that resolution 13 suggests two reasons for avoiding complete abstinence. This resolution states that 'intercourse between a husband and wife as the consummation of marriage has a value of its own within that sacrament, and that thereby married love is enhanced and its character strengthened'.[71] So Kirk asserts, 'one point is

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[67] Kirk, 'Lambeth Resolutions', p. 101.
[68] Kirk, 'Lambeth Resolutions', p. 102.
[69] Kirk, 'Lambeth Resolutions', p. 102. For more on probabilism and its application to the question of contraception, see Kenneth E. Kirk, *Conscience and its Problems*, 3rd edn. (London: Longmans, 1936), pp. 290-306. See also R. C. Mortimer, *The Elements of Moral Theology* (London: Adam and Charles Black, 1947); Paul L. Lehmann, *Ethics in a Christian Context* (London: SCM, 1963), pp. 303-316; and Harman L. Smith 'Contraception and the Natural Law: A half-century of Anglican moral reflection', in *The Anglican Moral Choice,* ed. by Paul Elmen (Connecticut: Morehouse-Barlow, 1983), pp. 181-200.
[70] 'The Life and Witness of the Christian Community', p. 200.
[71] Resolution 13 of the 1930 Lambeth Conference, in *The Lambeth Conferences, 1867-1948*,

clear. The strengthening of married love is a "morally sound reason" for avoiding abstinence if abstinence threatens to impair that love.'[72]

However, Kirk also considers that the phrase 'value of its own' in resolution 13 means that the matter is further confused. He states, 'the mere act of intercourse has been elevated by Resolution 13 into an end in itself; so that even where it cannot end in conception, does not strengthen married love, and has no other beneficial effect, it has still a "value of its own," and therefore there is still a "morally sound" reason for it.'[73] This statement, he continues, 'plays directly into the hands of those who treat intercourse simply and solely as an end in itself, [...] and all but annuls the effect of the moral restrictions implied in this section of Resolution 15.'[74] He laments that 'Resolution 13 should be so phrased as to make this the most legitimate interpretation of its exact wording; and it is difficult to believe that the Bishops really intended this result.'[75]

Another point worth contemplating in relation to this second question is whether the Conference considered that there may be a duty to use contraception in some circumstances. Kirk notes that in the report, the phrase used in relation to morally sound reasons for avoiding complete abstinence ('yet there exist moral situations which may make it obligatory to use other methods'[76]), is 'a very strong phrase markedly avoided by the Resolutions'.[77] This section of the 1930 report continues, 'to a certain extent this obligation is affected by the advice of medical and scientific authority. But in all such cases, as in those where abstinence is the way chosen, the final decision must still be determined by reference to the spiritual ends for which marriage was ordained.'[78] Although such 'spiritual ends' are never clearly defined in either the report or the resolutions, resolution 13 does refer both to the value of sexual intercourse in itself and its ability to enhance married love, and to the procreation of

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pp. 165-166.

[72] Kirk, 'Lambeth Resolutions', p. 103.
[73] Kirk, 'Lambeth Resolutions', pp. 103-4.
[74] Kirk, 'Lambeth Resolutions', p. 103.
[75] Kirk, 'Lambeth Resolutions', p. 104.
[76] 'The Life and Witness of the Christian Community', p. 200.
[77] Kirk, 'Lambeth Resolutions', pp. 102-103.
[78] 'The Life and Witness of the Christian Community', p. 200.

children as the 'primary purpose for which marriage exists'.[79] Therefore, we might assume that the 'spiritual ends for which marriage was ordained' are the primary end of procreation and the secondary end of the good of the marriage relationship itself. If this is the case, then it perhaps implies that the needs of the secondary end may, at times, make it 'obligatory' to use contraception.

In relation to the third question, ('why are morally sound reasons for the avoidance of complete abstinence demanded before "other methods" can be adjudged legitimate?'), Kirk suggests that this is the question raised for many 'serious-minded Anglicans' who propose that when the limitation of parenthood is regarded as a duty in a particular case, 'the actual method employed is in the main a matter of indifference.'[80]

Kirk observes that neither resolution 15 nor the report tackle the problem raised by this third question. Resolution 15 states that complete abstinence is the 'primary and most obvious' method of limiting or avoiding parenthood; but, according to Kirk, this 'sentence is an unhappy one'.[81] Given that *coitus interruptus* is as 'obvious' as complete abstinence to the ordinary person, Kirk decides that the heart of the sentence must be the word 'primary' rather than the word 'obvious'.[82] However, he continues that to speak of 'a primary method' is a 'highly unnatural expression' and asks 'what justification there is for the implication conveyed, that "complete abstinence" is, other things being equal, a higher and nobler method of limiting parenthood than intercourse under conditions which preclude conception?'.[83] Again, neither resolution 15 nor the report offers any help in this regard;

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[79] Resolution 13 of the 1930 Lambeth Conference, in *The Lambeth Conferences, 1867-1948*, pp. 165-166.
[80] Kirk, 'Lambeth Resolutions', p. 106.
[81] Kirk, 'Lambeth Resolutions', p. 106.
[82] Kirk, 'Lambeth Resolutions', p. 107.
[83] Kirk, 'Lambeth Resolutions', p. 107. For other questions about the use of the word 'primary' and its meaning see Kirk, 'Lambeth Resolutions', p. 101, note 1. Also see the speech of Archbishop Lang to Full Synod on 13 November 1930, in *The Chronicle of the Convocation of Canterbury: Being a Record of the Proceedings of the Convocation of Canterbury* (London: SPCK, 1930), pp. 146-157 (p. 154); A. A. David, 'Marriage and Birth Control', p. 19; M. B. Furse, 'Marriage and Birth Control', in *Marriage and Birth Control* by A. A. David and M. B. Furse (London: James Nisbet, 1931), pp. 25-46 (p. 36).

instead, Kirk comments that 'the sentiment is stated in the most doctrinaire fashion imaginable' and until the omission 'has been fully discussed it is impossible to say whether half the restrictions imposed by the Resolution upon "birth control" are not born of the merest traditionalism'.[84]

Therefore, Kirk appears to be arguing that the reasoning of the 1930 Conference was in places contradictory, and in other places, incomplete. While contradictory reasoning can be seen in the tensions between resolutions 13 and 15, as well as between the resolutions and the report, the incompleteness of the reasoning shows itself especially in relation to the treatment of abstinence. Both of these difficulties are hinted at in his concluding indictment of resolution 15:

> [...] The absence of any attempt on the present occasion to define the limitations in any but the most general terms makes the Resolution virtually ineffective as a guide in individual cases; whilst the unfortunate phrasing of Resolution 13 appears to rob the limitations of a large part of their stringency. And until the primacy of abstinence, as compared with other methods of conception control, has been vindicated, there is bound to be an uneasy suspicion that many of the restrictions advocated by the Resolution are, in essence, invalid and irrational.[85]

1.3.ii Other responses to the 1930 Lambeth Conference

It was not only Kirk who was critical of Lambeth's decision on contraception. Much of the Anglo-Catholic wing of the church, for example, suspected that the moral caveats within which the use of contraception had been couched were unlikely to be understood or adhered to. For example, the Bishop of St. Albans, M. B. Furse, argued:

> Their approval of contraceptives, it is true, is hedged round by 'ifs' and 'ands' and 'buts,' and safeguards and conditions, but as far as the 'World' is concerned it will not notice, or it will forget, or will not understand the safeguards and conditions, but it will certainly remember the approval. Its 'conscience,' so far as it exists, will be still more at rest. As for 'the faithful in Christ Jesus' and the 'troubled consciences,' they will still be at a loss to know what the bishops really meant, and will still have to settle this question for themselves.[86]

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[84] Kirk, 'Lambeth Resolutions', p. 107.
[85] Kirk, 'Lambeth Resolutions', p. 108.
[86] M. B. Furse, 'Marriage and Birth Control', pp. 43-44.

After the Conference, the majority of the public certainly believed that the bishops had come out in favour of contraception. This led some of the bishops to defend what they considered to be the strict caveats of resolution 15. For example, Archbishop Lang, responding to the 'misunderstanding and indeed misrepresentation' of resolution 15, concluded his attempt to explicate its nuances at the Convocation of Canterbury with the question, 'I would ask you whether to describe the Bishops in Lambeth as being in favour of the use of contraceptives is not really a gross misrepresentation of the facts.'[87] Equally, the Bishop of Southwark was confident that 'it cannot fairly be said that the attitude of the majority of the Conference will encourage birth control by artificial means. I believe, on the contrary, that the grave warnings and discriminating counsel of the Resolutions and Report will lead many to realize for the first time that there is a definite and reasonable Christian view of this problem.'[88]

Charles Gore, however, did not share the Bishop of Southwark's confidence. Like many of his fellow Anglo-Catholics, Gore maintained that according to the law of nature, intercourse was for the purpose of procreation. Hence, in a pamphlet written in response to the 1930 Lambeth Conference, Gore condemns contraception on the grounds that it is unnatural and wrong in itself.[89] He suggests that contraception is morally wrong because it separates the primary end from the secondary end; that is, it separates procreation from the nurturing of the marital fellowship. He states, 'the Church has regarded Birth Prevention as sinful because, like other sensual practices commonly called unnatural, it is a deliberate enterprise taken in hand to separate absolutely the enjoyment of the sexual act from its natural issue.'[90]

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[87] Archbishop Lang's speech to Full Synod on 13 November 1930, in *The Chronicle of the Convocation of Canterbury*, p. 155.

[88] 'The Bishops and Birth Prevention', *The Church Times*, 3 October 1930, p. 402.

[89] See Gore, *Lambeth on Contraceptives*, pp. 14-21; Gore, *The Prevention of Conception*, pp. 26-32; and Gore's oral statement to the National Birth-Rate Commission in *The Ethics of Birth Control*, p. 77. For an additional account of the unnaturalness of contraception, see M. B. Furse, 'Marriage and Birth Control', pp. 25-46. For more on the Anglican opposition to contraception on the grounds of natural law, see Harman L. Smith, 'Contraception and the Natural Law', pp. 181-200.

[90] Gore, *Lambeth on Contraceptives*, p. 17.

Elsewhere, Gore objects that contraception allows couples to replace stern repression of instincts and passions with unrestrained self-indulgence. He asks, 'is not the proposal to use our "science" in order to enable us at will to separate sexual enjoyment from conception and parentage, and to "enjoy ourselves" while excluding the accompanying sacrifice and responsibility, most truly and most deeply unnatural?'[91] Therefore, he continues, those who want to follow Christ's way for humanity must refuse to countenance these unnatural practices which are 'in their general result licentious', for birth control is 'the enemy'.[92]

It is interesting to note, therefore, that although both Kirk and Gore were critical of Lambeth's decision on contraception, the substance of their criticisms was very different. Indeed, Kirk questions arguments which claim that contraception is against the law of nature, such as those put forward by Gore. Kirk suggests these sort of proposals either amount to 'an appeal to an ultimate intuition of the inherent wrongness of the practice' or to a mistaken identification of 'unnatural' with 'artificial'.[93] Opposition to contraception on the grounds of 'natural repugnance' or, as Furse describes it, a 'strong instinctive feeling that the whole thing is repellent, degrading and wrong',[94] were common at the 1930 Lambeth Conference.[95] However, as Kirk suggests, arguments based on intuition are hard to defend. In response to those who confuse 'unnatural' and 'artificial' Kirk asks:

> Is 'unnatural' the same as 'artificial'; and if so, is all 'artificial' interference with the processes of nature - all control of those processes by the methods of science - to be judged immoral? Or is it only *this* process which may not be so controlled or modified? And if so, why is 'artificial' (i.e. scientific) control debarred from coming to the aid of natural control (i.e. complete abstinence) in this matter alone?[96]

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[91] Gore, *The Prevention of Conception*, p. 30.
[92] Gore, *The Prevention of Conception*, p. 32.
[93] Kenneth E. Kirk, *Conscience and its Problems*, p. 295. Also see Harman L. Smith, 'Contraception and the Natural Law', p. 190.
[94] M. B. Furse, 'Marriage and Birth Control', p. 27.
[95] Archbishop Lang's speech to Full Synod on 13 November 1930, in *The Chronicle of the Convocation of Canterbury*, p. 154. For an account of emotional repugnance towards contraception, see Edward Lyttleton, *The Christian and Birth Control* (London: SPCK, 1929).
[96] Kirk, *Conscience and its Problems*, p. 295.

1.3.iii Eugenics and contraception at the 1930 Lambeth Conference and after

Having examined the proceedings of the 1930 Lambeth Conference and various responses to it, let us turn our attention back to the question of eugenics. On the face of it, the report and resolutions of the Conference were not as explicitly eugenic in character as those of the 1908 and 1920 Conferences. Soloway's impression of the 1930 Conference is that 'eugenic presuppositions were not obvious in the deliberations of the Lambeth Conference', although he notes that bishops such as Ernest William Barnes, the Bishop of Birmingham, were sympathetic to eugenics.[97] However, it would appear that Soloway has made this judgment on the basis of the report and resolutions alone, whereas, when the debates which occurred at the Conference are studied in more detail, the influence of eugenics at Lambeth 1930 is clearly evident.

Such a study reveals that while positive eugenics was advocated in 1930, as it had been in 1908 and 1920, the crucial difference is that this was the first Lambeth Conference at which the use of contraception for the purposes of negative eugenics was strongly defended. The shift of approach from positive to negative eugenics, which we noted earlier in reference to Inge and the Eugenics Education Society, also appears to have taken place within the ranks of the Lambeth bishops. So, for example, we find Herbert Hensley Henson, the Bishop of Durham, asking the 1930 Conference:

> Why should the highest physical power, the power of reproducing life, lie outside responsible control? Why should the sub-normal and criminal classes be suffered to propagate at will and pour into society an ever-waxing stream of social degradation? These classes as we know too well, are fertile and futile in exceptional measure. The ethics of sterilization ought to be frankly faced by such a conference as this. We cannot, I think, as thoughtful and responsible Christian leaders, take the line of saying that we can see no remedy for this most formidable factor of the lowering of social, moral and intellectual types by the free intercourse, the unimpeded marriage of the sub-normal and criminal classes.[98]

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[97] Soloway, *Demography and Degeneration*, p. 194.

[98] Herbert Hensley Henson cited in the proceeding of 8 July 1930 (unpublished papers kept at Lambeth Palace), pp. 17-18. Also see the speech by Rupert Cecil, the Bishop of Exeter, cited in the proceeding of 8 July 1930 (unpublished papers kept at Lambeth Palace), p. 46.

Ernest William Barnes also propagated eugenicist ideas in favour of contraception at the 1930 Conference. Having missed the first few sessions of the sub-committee on marriage and sex, he complained that the report did not take adequate account of the 'lowest one-tenth of the community from which spring all our social and moral difficulties'. He therefore asked the Conference to urge the Government to assist research which 'would enable us to do something to diminish the number of these low grade families in the community, and to take measures for their ultimate extinction'.[99] He also proposed an addition to the resolutions which read:

> This Conference emphasizes that it is most important that the children who carry on the race should come from its sound stocks. It further urges the need of accurate knowledge of the way in which different types of mental defect are transmitted by inheritance, and asks that research into this question should be encouraged by Government aid in order that practical means may be found for the diminution of those groups of families showing mental weakness and moral instability, which are becoming an increasing burden in Great Britain and elsewhere.[100]

However, because Barnes made these proposals towards the end of the Conference, it was decided that there was no longer the necessary time to consider his motion. Had the Conference debated and accepted this motion, it would have been far more overtly eugenic in character. However, simply that it was proposed is evidence that, *pace* Soloway, eugenic presuppositions were influential in the deliberations of the 1930 Lambeth Conference. Indeed, as we have seen, there is little doubt about the significance of eugenics in the birth control debate both before and during the 1930 Lambeth Conference, and its influence may well have contributed to the failure of the Conference to deal adequately with the moral questions raised by contraception.

Nazi racism and the horror of the extermination camps meant that the eugenics movement was largely discredited after the Second World War. It was disregarded as a racist and elitist programme, a tool of authoritarianism based on a mistaken anthropology which treated people as pawns to be manipulated and disposed of for the sake of the larger utopian

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[99] Ernest William Barnes cited in the proceedings of 6 August 1930 (unpublished papers kept at Lambeth Palace), pp. 73-74.
[100] Ernest William Barnes cited in the proceedings of 6 August 1930 (unpublished papers kept at Lambeth Palace), p. 79.

vision of the future.[101] When he resigned as General Secretary of the Eugenics Society in 1952, C. P. Blacker acknowledged that the movement as Galton had envisioned it had essentially failed, largely because its advocates struggled to separate it from Nazi racism after 1945, and because the majority of the British public considered it to be incompatible with personal liberty.[102] Hence, with the discrediting of eugenics after the Second World War, many of the proposals in favour of contraception which had been prevalent in 1930 had lost their rationale. The result was an acceptance of contraception without many of the arguments to support it because they had become too embarrassing and socially unacceptable.

The Lambeth Conference of 1958 did, however, attempt to fill this vacuum to a certain extent by sketching something of a theological rationale for the use of contraception. By 1958 attitudes towards contraception had shifted even further along the scale from favouring prohibition to moral indifference. It is notable, for example, that little mention is made of any moral problems which might arise in relation to the use of contraception at this Conference. Indeed, the treatment of contraception at Lambeth 1958 suggests that the assumption that it raises few moral questions was already becoming pervasive.

1.4 The Lambeth Conference of 1958

The 1958 Lambeth Conference was the first Conference since that of 1930 to give the question of contraception serious consideration. The focus of the discussion was rather different at this later Conference; rather than being concerned with whether or not the use of contraception was morally licit, this Conference attempted to provide a theological rationale for the use of contraception within marriage. In this regard, the preparatory report, *The Family in Contemporary Society* (whose authors included Derrick Sherwin Bailey, Gordon R. Dunstan and Ian T. Ramsey), was particularly significant.[103]

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[101] For an example of additional objections to eugenics see Mary Shivanandan, *Crossing the Threshold of Love: A New Vision of Marriage in the Light of John Paul II's Anthropology* (Edinburgh: T&T Clark, 1999), pp. 180-190 and pp. 218-219.
[102] Soloway, *Demography and Degeneration*, pp. 350-351.
[103] *The Family in Contemporary Society* (London: SPCK, 1958). Extracts of this report are also reprinted in Ian T. Ramsey, *Christian Ethics and Contemporary Philosophy* (London:

In *The Man-Woman Relation in Christian Thought*,[104] Bailey suggests that while Lambeth 1930 upheld the traditional belief that procreation is the primary purpose of marriage, there were signs that the relational aspect, or secondary end, of marriage was beginning to be regarded with increased significance.[105] However, he continues that since 1888, 'the interest of the Lambeth Conferences in sexual matters was directed more to moral and practical issues than to the encouragement of basic research or the critical examination of Church teaching.'[106] In contrast, he comments that the relevant report of the 1958 Lambeth Conference is 'a remarkable document and shows clearly the influence of modern theological studies in sexual relations'.[107] Furthermore, 'the nature and purposes of marriage are reformulated, and the absolute primacy of procreation is rejected; full weight is given to the personal value of coitus, and the notion that it is sinful or evil is roundly condemned; and contraception by methods "admissible to the Christian conscience" is approved as a means of family planning.'[108]

Such is the importance of the marital relationship at Lambeth 1958 that, to the extent that the use of contraception enables regular sexual intercourse and therefore the fostering of marital love, its use is almost regarded as a duty. Certainly, the fostering of the secondary end is described as a duty; the report states, 'they have a duty to bear children; they owe an equal duty to each other, of tender and completing love; and these two duties interpenetrate and lighten each other.'[109] In a similar vein, the encyclical letter states:

> Because these two great purposes of Christian marriage illumine each other and form the focal points of constructive home life, we believe that family planning, in such ways as are mutually

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SCM, 1966), chpt 19. For the encyclical letter, report and resolutions of the 1958 Lambeth Conference see, *The Lambeth Conference 1958* (London: SPCK, 1958).

[104] Derrick Sherwin Bailey, *The Man-Woman Relation in Christian Thought* (London: Longmans, 1959) pp. 257-8.

[105] Bailey, *The Man-Woman Relation*, p. 258.

[106] Bailey, *The Man-Woman Relation*, p. 258.

[107] Bailey, *The Man-Woman Relation*, p. 259, additional note.

[108] Bailey, *The Man-Woman Relation*, p. 259, additional note.

[109] 'Committee report: The Family in Contemporary Society', in *The Lambeth Conference of 1958*, p. 2.149.

> acceptable to husband and wife in Christian conscience, and secure from the corruptions of sensuality and selfishness, is a right and important factor in Christian family life.[110]

The 1958 Conference also emphasised the importance of 'responsible parenthood', which 'requires a wise stewardship of the resources and abilities of the family as well as a thoughtful consideration of the varying population needs and problems of society and the claims of future generations'.[111] Abstinence is no longer the 'primary and most obvious' way to avoid or limit parenthood; instead, 'the *means* of family planning are in large measure matters of clinical and aesthetic choice.'[112] Therefore, the 1958 Lambeth Conference appears to imply that, given the importance of family planning, there may be times when a couple has a *duty* to use contraception.[113]

Significant as this greater appreciation of the secondary end may be, it appears that this Conference may have taken for granted the fact that any moral questions about the use of contraception had already been settled. As such, it is further evidence of the way in which the attitude of the Anglican Church shifted from one in favour of prohibition to one of moral indifference in the wake of the 1930 Lambeth Conference.

1.5 Conclusion

We began this thesis by suggesting that most British people, including the majority of Protestants, do not reckon the use of contraception to be a moral issue. We noted that this has not always been the case, and that in the twentieth century attitudes towards contraception shifted from favouring moral censure to indifference. In this chapter, we have highlighted this shift by analysing the example of the 1930 Lambeth Conference. Indeed, the intention of this chapter was to provide a case study of some of the influences, pressures and arguments which

[110] The Encyclical Letter, in *The Lambeth Conference of 1958*, p. 1.22.
[111] Resolution 115, in *The Lambeth Conference of 1958*, p. 1.57.
[112] 'Committee report: The Family in Contemporary Society', in *The Lambeth Conference of 1958*, p. 2.147.
[113] John Ford and Gerald Kelly note that many of the Protestant statements on contraception issued since the 1958 Lambeth Conference have proposed that the use of contraception may at times be a duty. See John Ford and Gerald Kelly, *Contemporary Moral Theology*, vol. 2, Marriage Questions (Maryland: The Newman Press, 1964), pp. 245-255.

contributed towards this shift in attitude. At that time, Anglican moral thought developed out of a tradition of English social thought on the subject, and so this chapter has provided important insights into the shift in English social thought as well as the shift in Anglican moral thought.

Our analysis of the Conference has revealed that, at best, the reasoning of the Conference can only be described as opaque and, according to Kirk, it was in places both contradictory and incomplete. The Conference did not reject the prohibitive arguments against contraception carefully, but moved to an acceptance of it without sufficiently considering the reasons for this shift. The lack of logical reasons for this change resulted in a thoughtlessness which is not so far removed from moral indifference. Indeed, the Conference appeared to make the shift between the two different attitudes towards contraception which still persist today without stopping to consider whether there may be any middle ground between them or whether there might be moral norms which should govern the use of contraception.

As we suggested in the introduction to this thesis, some of the most recent Church of England documents appear to work on the assumption that any moral problems raised in relation to contraception have already been dealt with. We have suggested in this chapter that the 1958 Lambeth Conference also seemed to take this assumption for granted. However, in light of our analysis of the 1930 Lambeth Conference, it can hardly be said that this Conference constituted a full and careful discussion the questions raised by contraception which settled the moral difficulties involved in its use. Therefore, insofar as Anglican moral theology relies on the assumption that the 1930 Lambeth Conference adequately addressed the question of contraception, it is mistaken. Instead, this Conference seemed to slide from prohibition to indifference without any logical reason for this shift, and without stopping to consider the unexamined middle ground between these two positions. As we have already stated, this is the task of our thesis: to examine these two attitudes more closely and to see whether we can open up the unexplored territory between them. In our next chapter, we will

therefore turn to examine the arguments of the Roman Catholic Church which prohibit the use of contraception.

Chapter Two

An Introduction to the Roman Catholic Arguments

2.1 Introduction

This thesis began by suggesting that, in the main, there are two different attitudes towards contraception in contemporary society: the first favours prohibition and the second regards it with moral indifference. During the twentieth century, attitudes towards contraception in the Protestant churches and the majority of society, shifted between these two positions; that is, indifference largely replaced moral censure. In the previous chapter, we examined the Lambeth Conference of 1930 as a case study of some of the arguments and influences which contributed to this shift. We suggested that because the Conference dismissed the prohibitive norms against contraception without logical reasons or careful consideration, it slid from favouring prohibition into a form of indifference without stopping to consider whether there may be moral norms which might govern the use of contraception.

In contrast, the Roman Catholic Church has been constant in its opposition to the use of contraception.[1] Over the course of the next three chapters, the focus of our examination will be the 1968 papal encyclical *Humanae Vitae*.[2] This is the most authoritative and significant Roman Catholic document on the subject of contraception. However, the encyclical is not an easy document to interpret and it is read in a variety of different ways. That it allows for a number of different readings may be because it employs various different natural law arguments. Thus, in an article written shortly after the publication of *Humanae Vitae*, John Finnis argues that one of the encyclical's weaknesses is that it failed to close the

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[1] For a detailed history of the opposition of the Roman Catholic Church to contraception see John Noonan, *Contraception: A History of its Treatment by the Catholic Theologians and Canonists*, enlarged ed. (Cambridge, MA: The Belknap Press of Harvard University Press, 1986).

[2] Paul VI, *Humanae Vitae*, issued 25 July 1968, NC News Service Translation (Boston, MA: Pauline Books and Media, [n.d.]). Hereafter referred to as HV and paragraph numbers will be cited instead of page numbers.

debate between the three main natural law arguments used to explain the Roman Catholic Church's teaching against contraception.[3]

Finnis defines these arguments as follows. Firstly, the argument that 'a faculty ought not to be perverted', which he identifies with the work of Joseph Fuchs. Secondly, the argument that 'the language of love ought to be true', as in the thought of Gustave Martelet. Thirdly, the argument proposed by himself and Germain Grisez, that 'the basic value of procreation ought not to be attacked'.[4] Arguably, these are the key natural law arguments employed to defend the Roman Catholic Church's teaching on contraception.

Contemporary interpretations of *Humanae Vitae* can be understood in relation to the three main arguments identified by Finnis. The first argument, otherwise known as the perverted faculty argument, is rarely used by current advocates of the encyclical. However, some scholars (such as Joseph Fuchs, Charles Curran, Richard McCormick and Bernard Häring), object to the encyclical on the grounds that they consider it to be based on a form of the perverted faculty argument, which they believe to be mistaken. In contrast to *Humanae Vitae*, these theologians argue that it would be in keeping with the tradition of the Roman Catholic Church to allow some uses of contraception. These scholars are sometimes labelled pejoratively as 'dissenting theologians' but they prefer to be described as 'revisionist theologians' because they consider themselves to be in dialogue with the tradition.[5]

While the perverted faculty argument is rarely used by contemporary advocates of *Humanae Vitae*, the second and third arguments are both keenly employed to defend its teaching. The second argument is a personalist defence of the encyclical which, in recent years, has chiefly been proposed by the late John Paul II. The third argument draws on a theory of the basic goods, and Finnis and Grisez remain the most authoritative advocates of this argument. These two approaches are currently so influential that few scholars who write

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[3] John Finnis, 'Natural Law and Unnatural Acts', *The Heythrop Journal*, 11 (1970), 365-387 (p. 386).
[4] Finnis, 'Natural Law and Unnatural Acts', p. 386, footnote 1.
[5] See Janet E. Smith, *Humanae Vitae: A Generation Later* (Washington, D.C.: The Catholic University of America Press, 1991), pp. 194-195.

in support of the encyclical do so without drawing upon the work of either John Paul II or Finnis and Grisez. Given their significance, our engagement with the encyclical will be conducted by examining these two key defences of the Roman Catholic Church's teaching on contraception.

In the 1970s , Elizabeth Anscombe also developed a significant philosophical defence of the encyclical.[6] We will not be considering her work in detail because the tenor of much of it (especially her work on chastity and her understanding of intention in the sexual act) has now been developed by Grisez and Finnis and their colleagues. For example, in *Catholic Sexual Ethics*, Ronald Lawler, Joseph Boyle and William E. May draw heavily on Anscombe when describing the requirements of chastity within marriage.[7]

In this chapter, we will introduce the basic principles of the three natural law arguments used to defend the Roman Catholic Church's teaching on contraception, as identified by Finnis. We will outline the central tenets of personalism, illustrate its growing influence in the official documents of the Roman Catholic Church (including *Humanae Vitae*), and note some of the key features of John Paul II's personalism. In this way, we will both introduce personalism and become familiar with some of the central claims of the encyclical. We will then outline Grisez's theory of basic goods. However, as a useful contrast, we will begin by noting the main aspects of the perverted faculty argument. To some extent, it was against this argument that both John Paul II and Grisez developed their arguments.

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[6] See G. E. M. Anscombe, *Contraception and Chastity* (London: Catholic Truth Society, 1975), which is reprinted in *Why Humanae Vitae was Right: A Reader*, ed. by Janet E. Smith (San Francisco: Ignatius Press, 1993), pp. 121-146. Also see G. E. M. Anscombe, 'Contraception and Natural Law', *New Blackfriars*, 46 (1965), 517-521, and Jenny Teichman, 'Intention and Sex', in *Intention and Intentionality: Essays in Honour of G. E. M. Anscombe*, ed. by Cora Diamond and Jenny Teichman (Brighton: Harvester Press, 1979), pp. 147-161.

[7] Ronald Lawler, Joseph Boyle, Jr. and William E. May, *Catholic Sexual Ethics: A Summary, Explanation and Defense*, 2nd edn (Huntingdon, Indiana: Our Sunday Visitor, 1998), chapter 7.

2.2 The Perverted Faculty Argument

The perverted faculty argument proposes that the natural, biological and physical structure of an act is morally determinative. Hence, any interruption or disturbance of the naturally given structure of an act is wrong. The use of contraception, the purpose of which is to frustrate the natural end of the sexual act (procreation), is therefore immoral; it disturbs the God-given nature of marital intercourse.

According to Lisa Sowle Cahill, it was this preoccupation with the physical structure of the sexual act, and its ordination towards procreation, which dominated Roman Catholic moral theology at the end of the nineteenth and beginning of the twentieth centuries. The secondary ends of marriage, namely mutual comfort and remedy for sin, were acknowledged, but they were very much peripheral concerns.[8] It was within this context that Pius XI issued his 1930 encyclical *Casti Connubii*, and it broadly reflects the approach which Cahill describes.[9] Indeed, Pius XI unequivocally condemns contraception as intrinsically evil on the basis that it frustrates the natural end of the conjugal act. He states:

> But no reason, however grave, may be put forward by which anything intrinsically against nature may become conformable to nature and morally good. Since therefore, the conjugal act is destined primarily by nature for the begetting of children, those who in exercising it deliberately frustrate its natural power and purpose sin against nature and commit a deed which is shameful and intrinsically vicious.[10]

Shortly before the publication of *Casti Connubii*, several commentators, including E. J. Mahoney, exposed the weaknesses of the perverted faculty argument. Mahoney proposed that advocates of contraception were unlikely to be convinced otherwise by suggestions that interfering with the natural structure of the sexual act is wrong. He continues that all sorts of

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[8] Lisa Sowle Cahill, *Sex, Gender and Christian Ethics* (Cambridge: Cambridge University Press, 1996), p. 194.
[9] Pius XI, *Casti Connubii*, given on 31 December 1930 (London: Sheed and Ward, 1933). For a fuller discussion of this encyclical see Theodore Mackin, *What is Marriage?* (New York: Paulist Press, 1982), pp. 215-218; also see Mary Shivanandan, *Crossing the Threshold of Love: A New Vision of Marriage in the Light of John Paul II's Anthropology* (Edinburgh: T&T Clark, 1999), pp. 196-199.
[10] *Casti Connubii*, p. 25.

objections can be formulated against such an argument: 'shaving one's beard is an interference with nature; snuff-taking is an unnatural use to make of the nose; medicines and surgical operations are all interferences with natural forces of the body.'[11] Instead, Mahoney argues that it is correct to view contraception as unnatural, not primarily because it is unnatural in a physical sense, but because it is 'out of harmony with the nature and dignity of the human person'.[12] In other words, contraception is unnatural because it is unreasonable; it is opposed to the natural or moral law of human nature.[13]

Since the late 1960's very few advocates of *Humanae Vitae* have adopted the perverted faculty argument in order to defend the teaching of the encyclical.[14] However, forms of it are often cited at the popular level to explain why the Roman Catholic Church opposes contraception.[15] Furthermore, revisionist theologians continue to accuse *Humanae Vitae* of being 'physicalist' because they consider it to be based on a form of the perverted faculty argument. As they understand it, the encyclical opposes contraception on the grounds that it interferes with the natural structure of the sexual act. Charles Curran states, 'the primary objection of most dissenting theologians centers on the papal insistence that the biological structure of the marital act is normative, and human beings must always respect its God-given finality and structure.'[16] They argue that this biologistic conception of the sexual act should be replaced by a more personalist understanding, according to which physical acts

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[11] E. J. Mahoney, 'The "Perverted Faculty" Argument Against Birth Prevention', *The (American) Ecclesiastical Review,* 79 (1928), 133-145 (p. 134).
[12] Mahoney, p. 136.
[13] A similar critique of the perverted faculty argument is made by Germain Grisez in *Contraception and the Natural Law* (Milwaukee: The Bruce Publishing Company, 1964), chapter 2. Grisez states that much of his critique is a systematic organisation of the arguments proposed by E. J. Mahoney, J. A. Ryan, J. M. Cooper and H. Davis, which appeared in *The (American) Ecclesiastical Review* shortly before the publication of *Casti Connubii*. See Grisez, *Contraception and the Natural Law*, p. 42, footnote 1.
[14] An exception is R. J. Connell's article, 'A Defence of Humanae Vitae', *Laval Theologique et Philosophique,* 26 (1970), 57-88.
[15] See, for example, Harold Brown's comment in 'Contraception: A symposium', *First Things*, 88 (1998), 17-29 (p. 17), where he claims that *Humanae Vitae* 'used the traditional natural law arguments against contraception, essentially maintaining that it is a violation of natural law to divert a function from its natural and presumably divinely intended use'.
[16] Charles Curran, *Transition and Tradition in Moral Theology* (Notre Dame: University of Notre Dame Press, 1979), p. 31.

are generally subordinate to the subjective needs of the person. Such needs include the sustenance of conjugal love through regular sexual intercourse, and it is on this basis that they attempt to justify the use of contraception.[17]

2.3 Personalism

Just as the revisionist theologians use personalist arguments to support the use of contraception, so do Roman Catholic theologians who are opposed to it. Personalism, a modern philosophical position which grew out of the phenomenology of Edmund Husserl, Maurice Merleau-Ponty and Max Scheler, became increasingly popular among Roman Catholic philosophers and theologians in the late nineteenth and early twentieth centuries.[18] It prioritizes the human subject and asserts that the reality and nature of the person is the primary basis for moral analysis.

In the early to mid-twentieth century, marriage was described in personalist terms by Dietrich von Hildebrand and Herbert Doms.[19] They argued that it is not simply the natural end of the sexual act which is morally determinative but the whole interpersonal union. They suggested that the sexual act is 'an ontological act, that is, an act affecting the being of the

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[17] See for example, *The Catholic Case for Contraception*, ed. by Daniel Callahan (London: Arlington Books, 1969); *Contraception, Authority and Dissent*, ed. by Charles Curran (New York: Herder and Herder, 1969); Charles Curran, *Transition and Tradition in Moral Theology* (Notre Dame: University of Notre Dame Press, 1979); Richard McCormick, *How Brave a New World?* (New York: Doubleday & Co., 1981); Richard McCormick, *Notes on Moral Theology 1965-1980* (Washington, D.C.: University Press of America, 1981); Mary R. Joyce, 'The Heart of the Curran Controversy', *International Review of Natural Family Planning,* 10 (1986), 158-162; Charles Curran, 'The Contraceptive Revolution and the Human Condition', in *On Moral Medicine: Theological Perspectives in Medical Ethics*, ed. Stephen E. Lammers and Allen Verhey (Grand Rapids, Michigan: Eerdmans, 1989), pp. 313-323.

[18] For a detailed study of the growth and influence of personalism in Roman Catholic sexual ethics see Lisa Sowle Cahill, 'Catholic Sexual Ethics and the Dignity of the Person: A Double Message', *Theological Studies*, 50 (1989), 120-150.

[19] Dietrich von Hildebrand, *In Defence of Purity: An Analysis of the Catholic Ideals of Purity and Virginity*, trans. by Josef Kosel and Freidrich Pustet (London: Sheed and Ward, 1931); Herbert Doms, *The Meaning of Marriage*, trans. by George Sayer (London: Sheed and Ward, 1939).

persons who interacted; a true, not symbolic, abandonment of oneself; a completion of oneself in the other.'[20] Taking marital experience as the source of their moral reflection, they argued that the meaning of marriage and the sexual act was not primarily found in procreation but in the expression and fulfilment of conjugal love.[21]

This personalist understanding of marriage was then developed by those in favour of contraception as well as those against. In particular, Gustave Martelet and Paul Quay used personalist arguments to support the teaching of the Roman Catholic Church.[22] In his important article of 1961, Quay argues that sexual intercourse is like a language which has a meaning. The sexual act 'speaks all that it has to say - the dedication of one's self to the perfecting, as person, of another - whatever its speakers may wish or intend'.[23] The use of contraception then renders the sexual act a 'lie' and, while it may appear to be an act of love, it is 'only a sham; they lie to one another in their bodies as in their hearts.'[24]

The development of the personalist understanding of marriage is reflected in the official documents of the Roman Catholic Church. Even in *Casti Connubii*, which holds procreation to be the primary end of marriage, the beginnings of the growth of personalism can be seen in the importance given to conjugal love.[25] By the Second Vatican Council, the value of married love was regarded as highly significant. *Gaudium et Spes* states:

> This love is uniquely expressed and perfected in married intercourse. The sexual activity by which married people are intimately and chastely united is honourable and worthy and, if done

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[20] John Noonan, *Contraception: A History of its Treatment by the Catholic Theologians and Canonists* (Cambridge, MA: The Belknap Press of Harvard University Press, 1966), p. 497.
[21] For a fuller discussion of Herbert Doms and Dietrich von Hildebrand see Mackin, pp. 225-234.
[22] Gustave Martelet is widely reputed to have influenced *Humanae Vitae*. In 1969, Victor Heylen described him as the 'co-author' and 'official interpreter' of the encyclical. See Joseph Coppens, 'A Symposium on *Humanae Vitae* and the Natural Law', *Louvain Studies*, 2 (1969), 211-30 (p. 221).
[23] Paul Quay, 'Contraception and Conjugal Love', in *Why Humanae Vitae was Right: A Reader*, ed. by Janet E. Smith (San Francisco: Ignatius Press, 1993), pp. 19-45 (pp. 33-34).
[24] Quay, p. 39.
[25] *Casti Connubii*, pp. 12-13.

> in a truly human fashion, it signifies and fosters the self-giving by which the couple gladly and gratefully enrich each other.[26]

The Council did not deal specifically with the question of contraception because a separate commission set up by John XXIII (the 'Commission for the Study of Population, Family and Birth Questions'), was in the process of discussing the matter. Its findings were issued in 1966 and revealed that the commission was divided. On the basis of the new personalist understanding of conjugal love in marriage, the report of the majority group proposed to revise the teaching of the Roman Catholic Church on contraception. They argued that the procreative end should be respected within the 'totality' of the marital relationship, rather than in each individual act. To 'speak of the regulation of conception by using means, human and decent, ordered to favoring fecundity in the totality of married life and toward the realization of the authentic values of a fruitful matrimonial community', was not, in their view, to contradict the 'genuine sense of the tradition' or the 'purpose of the previous doctrinal condemnations'.[27]

Humanae Vitae firmly rebuked the majority group report.[28] However, Paul VI did so on the basis of a personalist understanding of conjugal love and marriage. In the encyclical, he states that because conjugal love and responsible parenthood, which are the 'two great realities of married life', are often cited as the basis for justifying the use of contraception, the 'true concept' of them needs to be identified.[29] Like *Gaudium et Spes*, Paul VI refrained from reiterating the traditional description of procreation as the primary end of marriage and conjugal love as the secondary end. Indeed, his personalist conception of marriage is implied in his eschewal of the language of 'ends' in preference for describing the purposes of marriage as the procreative and unitive 'meanings'. Paul VI taught that in marriage and the

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[26] *Gaudium et Spes* (London: Catholic Truth Society, 1966), paragraph 49. For more on the formulation of the Council's statement on marriage see Mackin, chapter 10.
[27] 'Majority Papal Commission Report', in *The Catholic Case for Contraception*, ed. by Daniel Callahan (London: Arlington Books, 1969), pp. 149-173 (pp. 160-1).
[28] HV 6.
[29] HV 7-10.

sexual act God has inseparably connected these meanings, and it is because contraception violates this inseparable connection that it is a moral evil.[30]

Hence, Paul VI does not argue against contraception on the same grounds that Pius XI did in *Casti Connubii*. The inseparable connection between the unitive and procreative ends may have been implied in that earlier encyclical, but it clearly condemns contraception on the grounds that it violates the natural end of the conjugal act.[31] However, in *Humanae Vitae* the inseparability of the two meanings is explicitly central to the condemnation of contraception. Paul VI states, 'each and every marriage act must remain open to the transmission of life.'[32] He continues:

> That teaching, often set forth by the magisterium, is founded upon the inseparable connection, willed by God and unable to be broken by man on his own initiative, between the two meanings of the conjugal act: the unitive meaning and the procreative meaning. Indeed, by its intimate structure, the conjugal act, while most closely uniting husband and wife, capacitates them for the generation of new lives, according to laws inscribed in the very being of man and of woman. By safeguarding both these essential aspects, the unitive and the procreative, the conjugal act preserves in its fullness the sense of true mutual love and its ordination towards man's most high calling to parenthood. We believe that the men of our day are particularly capable of seizing the deeply reasonable and human character of this fundamental principle.[33]

From this statement, it may be possible to appreciate why Finnis suggests that the encyclical failed to close the debate between the different natural law arguments used to explain the Roman Catholic Church's teaching against contraception. Indeed, while Paul VI is not overtly employing the perverted faculty argument, the explanation of the inseparability of the meanings appears to be founded upon the 'intimate structure' of the conjugal act. Furthermore, the meanings of the sexual act are described as 'laws inscribed in the very being of man and woman'. The encyclical may be personalist in describing these laws as 'part of

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[30] HV 12.
[31] Janet Smith, a sympathetic commentator on *Humanae Vitae*, argues that the inseparability of the two ends is intimated both in *Gaudium et Spes*, paragraph 51, and *Casti Connubii*, p. 32. See Smith, *Humanae Vitae: A Generation Later*, p. 66.
[32] HV 11.
[33] HV 12.

the human *person*',[34] but the fact that the natural structure of the act appears to be so central to the argument does appear to leave room for the perverted faculty argument.

In the next chapter, we will see how John Paul II has significantly developed the personalist understanding of *Humanae Vitae*. However, of particular interest for us now is the fact that while the tradition as a whole has become more personalist, John Paul II has made a specific contribution within that tradition. His distinctive approach began to be developed when he wrote his thesis on the phenomenologist, Max Scheler. Karol Wojtyla, as he then was, recognised the value of the phenomenological method in examining the subjective ethical experiences of the person and how, in turn, these experiences might enable the person to perceive the truths of the objective moral order more clearly.

However, Wojtyla quickly distanced himself from many aspects of Scheler's phenomenology, notably his conception of the ethical life. Phenomenology, according to Wojtyla, can help to describe experience, but metaphysics is needed to define the objective moral order.[35] In other words, while Wojtyla was certain that human experience can help to reveal objective reality, he also maintained that human experience cannot change objective reality. Human actions have a given structure within the objective order, regardless of the subjective experience of the action.

In 1960, Wojtyla published *Love and Responsibility*,[36] in which he developed his phenomenological approach in relation to love, marriage, chastity and sex. It is thought that this work may have influenced the composition of *Humanae Vitae*.[37] In it, Wojtyla argues:

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[34] HV 10.

[35] See Shivanandan, pp. 22-29 for a fuller discussion of Wojtyla's engagement with Scheler. For a useful collection of some of Wojtyla's essays see Karol Wojtyla, *Person and Community: Selected Essays,* trans. by Theresa Sandok (New York: Peter Lang, 1993).

[36] Karol Wojtyla, *Love and Responsibility*, trans. by H. T. Willetts (San Francisco: Ignatius Press, 1993).

[37] Paul VI was reputedly reading *Love and Responsibility* as he waited for the report from John XXIII's commission. Paul Johnson describes how it influenced the encyclical: 'when he (Paul VI) came to write his own encyclical *Humanae Vitae* (25 July 1968) on the subject, much of Wojtyla's thinking reappeared in the argument and gave the document an original and positive content which a simple reiteration of traditional Catholic teaching would have

> Sexual morality is within the domain of the person. It is impossible to understand anything about it without understanding what the person is, its mode of existence, its functioning, its powers. The personal order is the only proper plane for all debate on matters of sexual morality.[38]

However, unlike both the revisionist theologians and the phenomenological school, Wojtyla does not consider his personalist interpretation of sexuality to be in conflict with a natural law approach. In an article written shortly after *Humanae Vitae,* Wojtyla argues that the concept of the person must be grounded in the objective order.[39] He proposes that the person is not 'some sort of pure consciousness', neither is a human being 'a kind of absolute affirmed on the intellectual plane'.[40] Rather, according to Thomas Aquinas, *persona est rationalis naturae individua substantia* (a person is an individual substance of a rational nature). Nature is therefore integrated in the person and so the two cannot be separated.

This conception of the person both distances Wojtyla from certain phenomenological concerns, and also confounds some of the criticisms levelled at *Humanae Vitae*. As we have seen, the revisionist theologians often accuse the encyclical of being overly 'physicalist', and argue that the primacy of the interpersonal union means that the ban on contraception should be lifted. However, Wojtyla states that such criticisms are mistaken because they are based on an essentially biological understanding of natural law.[41] According to Wojtyla, although the biological order is important, the natural order cannot simply be reduced to biology. Instead, the natural order is used to describe the order of existence which has a specific relationship with the Creator, hence its significance for morality.[42]

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lacked.' See Paul Johnson, *Pope John Paul II and the Catholic Restoration* (London: Weidenfeld and Nicolson, 1982), p. 33.

[38] Wojtyla, *Love and Responsibility*, p. 18.

[39] See Karol Wojtyla, 'The Human Person and Natural Law', in *Person and Community: Selected Essays*, trans. by Theresa Sandok (New York: Peter Lang, 1993), pp. 181-185.

[40] Wojtyla, 'The Human Person', p. 185.

[41] Wojtyla, 'The Human Person', p. 182.

[42] See Wojtyla, *Love and Responsibility*, pp. 56-7, 226 and 230.

Wojtyla suggests, therefore, that because nature is integrated in the person, it is impossible to consider the physical structure of the act independently of the person, or the person independently of the physical act. Hence, at the heart of Wojtyla's argument with both the phenomenologists and the revisionist theologians is the understanding of the person. The mistake of both groups is to think that the person and the natural law can be separated, whereas, for Wojtyla, the person can only be understood in relation to the objective moral order. The revisionists may be attempting to use personalist arguments in favour of contraception but, according to Wojtyla, they are operating with a totally different anthropological vision, one which fundamentally misunderstands the person. Furthermore, his argument also stood implicitly against the perverted faculty argument. For Wojtyla, it is the truth about the person which is the basis for the moral norm against contraception; this truth includes the physical structure of the act but only because nature is integrated in the person. Thus, for Wojtyla, deep metaphysical and anthropological truths are at stake in the dispute over contraception.[43]

2.4 The Basic Goods Theory

Germain Grisez began to develop his 'new' natural law theory in the mid 1960s, primarily as a response to Vatican II's appeal for the renewal of moral theology. Since then, he has written a number of works with various different collaborators. Recently, this group of thinkers has been dubbed the 'Grisez School', a title which we shall adopt throughout this thesis.[44] Grisez's collaborators within this school include John Finnis, Joseph Boyle, Robert P. George, William E. May and John C. Ford.[45]

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[43] On the importance of the anthropological vision at the heart of John Paul II's thought see John Crosby, 'The Personalism of John Paul II as the basis of his approach to the teaching of *Humanae Vitae*', in *Why Humanae Vitae was Right: A Reader*, ed. by Janet E. Smith (San Francisco: Ignatius Press, 1993), pp. 195-226.

[44] Nigel Biggar and Rufus Black, 'Preface', in *The Revival of Natural Law: Philosophical, Theological and Ethical Responses to the Finnis-Grisez School*, ed. by Nigel Biggar and Rufus Black (Aldershot: Ashgate, 2000), pp. xiii-xviii (p. xiii).

[45] For a summary of the history of the Grisez School and its major works see Biggar and Black, 'Preface', pp. xiii-xviii.

The Grisez School is widely regarded as responsible for the revival of natural law thinking in the late twentieth century. Russell Hittinger, one of their critics, states that Finnis' *Natural Law and Natural Rights*[46] 'has done as much as any other single work to bring the subject of natural law back to the forefront of scholarly attention'.[47] Nigel Biggar and Rufus Black have also edited a recent collection of essays on the work of the Grisez School by authors who represent a number of different academic disciplines, nationalities and Christian traditions, which is further testimony to the significance of the School's work.[48]

The members of the Grisez School see themselves as standing very much within the Thomist natural law tradition. However, the School is keen to distinguish their approach from scholastic natural law theory, from which the perverted faculty argument is derived.[49] Grisez considers this theory to be inadequate because it assumes that theoretical knowledge concerning human nature can give rise to moral norms which govern human actions. That is, it moves from the 'is' of human nature to the 'ought' of moral action. According to Grisez, such a step commits the naturalistic fallacy and is 'logically illicit'.[50]

The Grisez School argues that there is a logical distinction between theoretical and practical reason.[51] Theoretical reason ('is-thinking') involves the mind's pursuit of a prior reality (as in historical or scientific inquiries), whereas, practical reason ('ought-thinking') involves no prior reality but rather establishes new realities and directs choices about human

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[46] John Finnis, *Natural Law and Natural Rights* (Oxford: Clarendon Press, 1980).
[47] Russell Hittinger, *A Critique of the New Natural Law Theory* (Notre Dame: University of Notre Dame Press, 1987), p. 5.
[48] *The Revival of Natural Law: Philosophical, Theological and Ethical Responses to the Finnis-Grisez School*, ed. by Nigel Biggar and Rufus Black (Aldershot: Ashgate, 2000).
[49] See Germain Grisez, *The Way of the Lord Jesus: Christian Moral Principles*, 3 vols (Quincy, Illinois: Franciscan Press, 1997), I, pp. 103-5, hereafter referred to as CMP. See also, Germain Grisez, 'The First Principle of Practical Reason: A Commentary on the *Summa Theologiae*, 1-2, Question 94, Article 2', in *Natural Law*, ed. by John Finnis, 2 vols (Aldershot: Dartmouth, 1991), I, pp. 191-224. Also see Germain Grisez, *Contraception and the Natural Law*, pp. 46-53.
[50] CMP, p. 105.
[51] See Rufus Black, 'Introduction: The New Natural Law Theory', in *The Revival of Natural Law: Philosophical, Theological and Ethical Responses to the Finnis-Grisez School*, ed. by Nigel Biggar and Rufus Black (Aldershot: Ashgate, 2000), pp. 1-25 (pp. 3-5).

action.[52] It does so by projecting 'initial insights concerning all possible goals of human action by referring to the several modes of inclination that are naturally given to human nature'.[53] These natural 'modes of inclination' are the basic human tendencies or human goods which provide the basic reasons for acting.

The list of basic goods, or primary principles, identified by the Grisez School has developed over the years, but the core list is comprised of seven basic goods.[54] There are four 'reflexive' goods, in which people participate by the deliberate choice to pursue them. They are self-integration, practical reasonableness or authenticity, justice and friendship, and religion or holiness. Then there are three 'substantive' goods in which people can participate without deliberately choosing to pursue them. They are life itself, including the handing on of life to new persons, knowledge of truth and beauty, and skillful work or play.[55]

A number of features about the Grisez School's basic goods should briefly be noted. Firstly, according to the Grisez School, they are pre-moral goods. The School maintains that these goods can be identified as the basic reasons for acting prior to any consideration of moral obligation. The goods therefore provide reasons for both morally good and morally wrong actions. Secondly, the School also holds that these goods are incommensurable: 'no basic good considered precisely as such can be meaningfully said to be better than another.'[56] The School therefore claims that one good cannot be sacrificed for the sake of another; to do so would lead to the mistakes of proportionalism.[57]

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[52] See Grisez, *Contraception and the Natural Law*, p. 60; also see Grisez, 'The First Principle of Practical Reason', p. 199.
[53] Germain Grisez, 'A New Formulation of a Natural Law Argument Against Contraception', *The Thomist*, 30 (1966), 343-361, (p. 347).
[54] For a helpful description of how Finnis has revised his set of basic goods on several occasions see Sabina Alkire, 'The Basic Dimensions of Human Flourishing: A Comparison of Accounts', in *The Revival of Natural Law: Philosophical, Theological and Ethical Responses to the Finnis-Grisez School*, ed. by Nigel Biggar and Rufus Black (Aldershot: Ashgate, 2000), pp. 73-110 (pp. 75-6).
[55] Alkire, pp. 75-6. Also see Germain Grisez, Joseph Boyle and John Finnis, 'Practical Principles, Moral Truth and Ultimate Ends', *The American Journal of Jurisprudence*, 32 (1987), 99-151 (pp. 106-8).
[56] Grisez, Boyle and Finnis, 'Practical Principles', p. 110.
[57] CMP, pp. 143-5.

Thirdly, according to the Grisez School, the basic goods correspond to the different dimensions of human nature and, in as much as they perfect and fulfil that nature, they are good.[58] The School does not derive the basic goods from human nature; such an epistemological method would, in their view, be guilty of the naturalistic fallacy. Instead, fourthly, the School argues that the basic goods are *per se nota* (self-evident). That is, the goods are not inferred from metaphysical principles, or derived from human nature, but are self-evident to any reasonable person. As George puts it, 'basic reasons for action are simply ends (goods) whose intelligible point can be grasped without the benefit of a deduction or inference by anyone who knows what the terms referring to them signify.'[59]

Nevertheless, there appears to be some tension in the Grisez School's concept of self-evidence. While on the one hand self-evidence appears to mean that the goods are known without reflection, on the other hand the School appears to allow for a process of empirical reflection upon our natural inclinations and human actions. Indeed, the School maintains that the most direct way to identify the basic goods is 'by considering actions and asking, "Why are you doing that?" and "Why should we do that?" and so on'.[60] The School proposes that such questions will eventually uncover 'a small number of basic purposes of diverse kinds. These purposes arouse interest because their intelligible aspects are instantiations of the diverse basic goods.'[61] However, according to the Grisez School, such empirical reflection need not undermine the self-evidence of the basic goods. In the School's view, the self-evidence of the practical principles does not mean that they cannot also be defended rationally by dialectical arguments and theoretical knowledge.[62]

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[58] Grisez, Boyle and Finnis, 'Practical Principles', p. 114.
[59] Robert P. George, 'Natural Law and Human Nature', in *Natural Law Theory: Contemporary Essays*, ed. by Robert P. George (Oxford: Clarendon Press, 1992), pp. 31-41 (p. 37).
[60] Grisez, Boyle and Finnis, 'Practical Principles', pp. 106-7.
[61] Grisez, Boyle and Finnis, 'Practical Principles', pp. 106-7.
[62] Grisez, Boyle and Finnis, 'Practical Principles', p. 111.

So, according to the Grisez School, the basic goods serve to direct human action and become the basis for moral norms. The practical reason identifies, integrates and moderates the basic goods which are involved in each choice about human action. In performing such a role, practical reasonableness proceeds from principles. Grisez divides these principles into the first principles of practical reason and the first principles of morality. The first principles of practical reason concern practical reasoning in general; all people, both those who make moral and immoral choices, use these principles in considering what they might do. Whereas, the first principles of morality concern 'the starting points for thinking out what one *ought* to do - that is for making judgments of conscience'.[63]

Following Thomas Aquinas, Grisez states that the first principle of practical reason is that 'the good is to be done and pursued; the bad is to be avoided.'[64] This principle is not a moral precept but provides a starting point for all practical reasoning. Here 'good' means 'whatever can be understood as intelligibly worthwhile' and 'bad' means a 'privation of intelligible goods'.[65] Therefore, while this principle directs people towards the basic human goods, it tells them nothing about what they are to do, nor does it specify moral norms. Instead, these moral norms are identified by the principles of morality. Grisez formulates the first principle of morality as follows:

> In voluntarily acting for human goods and avoiding what is opposed to them, one ought to choose and otherwise will those and only those possibilities whose willing is compatible with a will toward integral human fulfillment (*sic*).[66]

According to Grisez, while the first principle of practical reason underlies all acts where no choice is needed, the first principle of morality 'comes into play only when a choice must be made'.[67] It specifies that the choices of the morally good person will respect all of the basic goods which constitute human fulfilment. However, just as the first principle of

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[63] CMP, p. 178.
[64] CMP, pp. 178-9.
[65] CMP, p. 179
[66] CMP, p. 184. Quotations throughout this thesis will replicate the spelling found in the original source; hereafter, '*sic*' will not be used after American spellings.
[67] CMP, p. 185.

practical reason is very general and is specified by the basic goods, the first principle of morality is 'obviously too general to provide practical guidance. Even if acts are defined in terms of choices and human goods, the principle's bearing on them remains obscure.'[68] Grisez argues, therefore, that the first principle of morality is specified by the 'modes of responsibility'. These modes stand between the first principle of morality and the specific moral norms; their purpose is to 'specify - "pin down" - the primary moral principle by excluding as immoral actions which involve willing in certain specific ways inconsistent with a will toward integral human fulfillment'.[69]

Grisez then derives moral norms from these modes of responsibility by identifying the common factor between them. This common factor is the relationship of the will to the basic human goods. William May states:

> [..] Specific moral norms are discovered by considering proposed human acts (possibilities of choice) and seeing how such acts relate a person's will to basic human goods, and then determining whether they entail the willingness to violate one or more modes of responsibility. If they entail such willingness, they are unreasonable kinds of human acts and are excluded by a specific moral norm. If they do not entail such willingness, they are morally good kinds of acts and morally permissible. They are morally obligatory in virtue of an affirmative moral norm, if the alternatives to the morally good kinds of acts are excluded by one or more modes of responsibility. [70]

Therefore, in contrast to the perverted faculty argument, the Grisez School proposes that it is the intention or the orientation of the will towards the basic goods which defines the moral quality of an action. However, the definitive role given to the will does not mean that the Grisez School subscribes to a form of subjectivism. 'Intention' is not used to describe an emotional disposition towards the goods but a volitional disposition. Indeed, according to Grisez, acts are inherently moral or immoral irrespective of subjective factors. He states,

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[68] CMP, p. 189.

[69] CMP, p. 189. While Grisez's eight 'modes of responsibility' differ from Finnis' 'basic requirements of practical reasonableness', both sets of self-evident principles are intended to specify the requirements of the first principle of morality. See CMP, chapter 8 and Finnis, *Natural Law and Natural Rights*, chapter 5.

[70] William E. May, 'Germain Grisez on Moral Principles and Moral Norms: Natural and Christian' in *Natural Law and Moral Inquiry: Ethics, Metaphysics, and Politics in the Work of Germain Grisez*, ed. by Robert P. George (Washington, D.C.: Georgetown University Press, 1998), pp. 3-35 (p. 15).

'intentions intrinsically constitute moral acts inasmuch as these acts are the carrying out of choices; but the acts constituted by intentions are either good or evil by their conformity or lack of conformity to right reason, that is, to practical reason, unfettered by nonrational factors, bringing to bear the truth about what is humanly good.'[71]

The Grisez School has employed this theory to identify the moral norm against contraception. It claims that the use of contraception involves a hostile intention against two of the basic goods: the basic good of life and the basic good of marriage. The School has therefore developed two distinct but complementary arguments to demonstrate how the use of contraception is morally wrong. We will provide a detailed examination of these arguments in chapter four of this thesis.

2.5 Conclusion

In this introductory chapter to the thought of the Roman Catholic Church on contraception, we have outlined the three main natural law arguments used to explain the teaching against contraception, as identified by Finnis. We began with the perverted faculty argument, which is now rarely employed by contemporary advocates of *Humanae Vitae*, but which the revisionist theologians generally consider to be the rationale for the encyclical's opposition to contraception. We then outlined personalism, noting how it has developed in the official documents of the Roman Catholic Church, and how John Paul II has made a specific contribution to this tradition. Finally, we outlined the Grisez School's theory of basic goods. In chapter three we will examine further John Paul II's personalist argument and in chapter four we will treat the Grisez School's argument in defence of the Roman Catholic Church's teaching on contraception.

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[71] Germain Grisez, *The Way of the Lord Jesus: Living a Christian Life*, 3 vols (Quincy, Illinois: Franciscan Press, 1993), II, p. 469, footnote 19.

Chapter Three

John Paul II's Defence of *Humanae Vitae*

3.1 Introduction

This thesis is an exploration of the two different contemporary attitudes towards contraception which seeks to identify whether there may be some middle ground between them. We have suggested that these two different attitudes can be broadly described in terms of moral indifference and prohibition. In order to examine the latter more closely, we have begun to consider the teaching of the Roman Catholic Church against contraception. In the previous chapter, we introduced the three main natural law arguments used to explain this teaching: the perverted faculty argument, personalism and the theory of basic goods. In this chapter we will examine John Paul II's personalist argument and ask whether or not he provides a satisfactory argument against the use of contraception.

Both before and during his pontificate, John Paul II wrote extensively in defence of the teaching of *Humanae Vitae*. Janet Smith, one of his more sympathetic commentators, calls him the 'most energetic proponent and expositor of the doctrine of *Humanae Vitae* in recent years'.[1] Certainly, his influence has been such that most contemporary defenders of the encyclical seem to draw upon John Paul II's interpretation in their own work.[2]

The essence of his argument against contraception can be found in his philosophical work *Love and Responsibility*.[3] This has since been developed in numerous articles and papal

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[1] Janet E. Smith, *Humanae Vitae: A Generation Later* (Washington, D.C.: The Catholic University of America Press, 1991), p. 230.

[2] For example, in chapter four we will see how the later work of the Grisez School draws on John Paul II's interpretation of *Humanae Vitae*. See especially Germain Grisez, *The Way of the Lord Jesus: Living a Christian Life*, 3 vols (Quincy, Illinois: Franciscan Press, 1993), II. Also see Ronald Lawler, Joseph Boyle, Jr. and William E. May, *Catholic Sexual Ethics: A Summary, Explanation and Defense*, 2nd edn (Huntingdon, Indiana: Our Sunday Visitor, 1998).

[3] Karol Wojtyla, *Love and Responsibility*, trans. by H. T. Willets (San Francisco: Ignatius Press, 1993).

writings, including *Familiaris Consortio.*[4] Between September 1979 and November 1984, John Paul II outlined his 'theology of the body' in his weekly general audiences. This material was originally published as four separate books, but has now been collected together in one volume entitled, *The Theology of the Body: Human Love in the Divine Plan.*[5] John Grabowski describes the volume as a 'catechesis on the bodily dimension of human personhood, sexuality, and marriage in the light of the biblical revelation'.[6] The final section deals specifically with the question of contraception and is entitled 'Reflections on *Humanae Vitae*'.

While these papal works set his argument in a more specifically theological context, the logic of his argument is essentially the same as that found in *Love and Responsibility.* There are, however, some terminological differences between the various works. In *Love and Responsibility*, Wojtyla describes the full value of the sexual act as the 'union of persons', in 'Reflections on *Humanae Vitae*' he describes this same value as the 'personal communion', and in *Familiaris Consortio*, he tends to use the language of 'total self-gift' and 'conjugal love'. The sense of these terms appears to be interchangeable, but the logic of the argument seems to remain the same. While we recognise the variety of terminology used throughout John Paul II's writing, we will use the phrase 'act of personal communion' to summarize

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[4] John Paul II, *Familiaris Consortio* (Boston, MA: Pauline Books and Media, 1981), hereafter referred to as FC. Also see, Karol Wojtyla, *Fruitful and Responsible Love* (Slough: St. Paul Publications, 1978); John Paul II, 'Memorial, Actualisation, Prophecy of the History of the Covenant', *International Review of Natural Family Planning*, 4 (1980), 30-34; John Paul II, 'Address to the Pontifical Council of the Family', *International Review of Natural Family Planning*, 7 (1983), 185-189; John Paul II, 'On Responsible Parenthood', *International Review of Natural Family Planning*, 8 (1984), 145-149; Karol Wojtyla, 'Crisis in Morality', *International Review of Natural Family Planning*, 10 (1986), 260-267; John Paul II, 'Address of the Holy Father John Paul II to the Second International Congress of Moral Theology', in *Humanae Vitae: 20 Anni Dopo. Proceedings of the Second International Congress of Moral Theology* (Milan: Edizioni Ares, 1989), pp. 13-18; John Paul II, *Letter to Families* (n.p.: National Catholic Association of Catholic Families, 1994).

[5] John Paul II, *The Theology of the Body: Human Love in the Divine Plan* (Boston: Pauline Books and Media, 1997), hereafter referred to as TOB. For the philosophical foundations of his understanding of the body see Karol Wojtyla, *The Acting Person*, trans. by Andrzej Potocki, definitive text of the work established in collaboration with the author by Anna-Teresa Tymieniecka (Dordrecht: D. Reidel Publishing Company, 1979).

[6] John S. Grabowski, in the foreword to TOB, p. 16.

these different descriptions of the full value of the sexual act. The logic of John Paul II's argument can then be outlined as follows:

i. To be a properly personal act, the sexual act must be an act of personal communion.
ii. In order to be an act of personal communion, the sexual act must be open to procreation.
iii. But the contracepted sexual act is not open to procreation.
iv. Therefore, the contracepted sexual act is not an act of personal communion and is therefore wrong.

For the sake of clarity, and in order to demonstrate the developments in John Paul II's personalist argument, we will examine separately the form it takes in *Love and Responsibility* and the form it takes in the papal works. Beginning with the former work, we will describe his argument, step by step, as outlined in the above logic structure. We will then do the same with the papal works. Finally, following the same structure, we will offer our critical analysis of John Paul II's argument. However, in this final stage, we will treat the different works *en masse*.

3.2 *Love and Responsibility*

In the previous chapter we introduced some of the basic tenets of John Paul II's personalist philosophy. We saw how he asserts that it is the reality and nature of the human person, grounded in the objective moral order and known through subjective human experience, which is the primary basis for moral analysis. In contrast to the perverted faculty argument (which makes the natural structure of the sexual act morally determinative), Wojtyla maintains that it is the interpersonal communion as a whole which is morally significant. It is the truth about the human person and the nature of the interpersonal communion which determines the moral norm against contraception. We will now proceed to examine this argument, step by step, in order to establish how Wojtyla is able to claim that the contracepted sexual act is wrong because it is not a properly personal act.

3.2.i To be a properly personal act, the sexual act must be an act of personal communion

In order to grasp this first premise we must begin with Wojtyla's understanding of the human person. Wojtyla starts with the assertion that the personality is *alteri incommunicabilis* (the incommunicability of the person). This concept is helpfully described by John Crosby, one of John Paul II's foremost interpreters: 'each person is so much a being of his own, is so strongly gathered into himself and anchored in himself, that he resists being incorporated into any totality in which he would be a mere part, serving only to build up the totality; he is rather a totality of his own, a world for himself.'[7] From the truth of the incommunicability of the person, Wojtyla then derives the personalistic norm:

> This norm, in its negative aspect, states that the person is the kind of good which does not admit of use and cannot be treated as an object of use and as such the means to an end. In its positive form the personalistic norm confirms this: the person is a good towards which the only proper and adequate attitude is love. [8]

The personalistic norm defines how we as subjects should act towards other people when they are the object of our actions. Respecting the personalistic norm, and hence the incommunicability of the person, will mean seeking to ensure the good of the person and refraining from treating the person as a means to an end.

Wojtyla argues that the personalistic norm has implications for all the spheres and activities of life, not least in regard to sexual relations.[9] In the sexual act, husband and wife are both subject and object for each other.[10] For the sexual act to be in line with the personalistic norm, the man and woman must ensure that the other is treated as an end in him/herself and not as a means to an end; that is, the other is to be treated as a person to be loved and not an object to be used. A sexual act which is adapted to the objective demands of the personalistic norm is a properly personal act.

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[7] John F. Crosby, 'The Personalism of John Paul II as the basis of his approach to the teaching of *Humane Vitae*', in *Why Humanae Vitae was Right: A Reader*, ed. by Janet E. Smith (San Francisco: Ignatius Press, 1993), pp. 195-226 (p. 206).
[8] Wojtyla, *Love and Responsibility*, p. 41.
[9] Wojtyla, *Love and Responsibility*, p. 225.
[10] Wojtyla, *Love and Responsibility*, p. 24.

When the sexual act is a properly personal act, it will manifest the positive aspect of the personalistic norm which claims that the only adequate attitude towards a person is love. Wojtyla analyses various different forms of love including attraction, desire and goodwill. Here, we are concerned with what he calls 'betrothed love', which is the love which characterises marriage. Betrothed love, or conjugal love as it is called in *Humanae Vitae*, is different from and more than the other forms of love. The other forms all involve extending oneself towards another, but betrothed love goes beyond this because its distinctive character is 'the giving of one's own person (to another). The essence of betrothed love is self-giving, the surrender of one's "I".'[11]

This self-giving is not simply a willingness to make compromises or sacrifices for the other. Rather, it is complete surrender of each to the other. Wojtyla states that this surrender is not be to confused with any form of psychological or emotional experience of surrender, neither is it surrender in a merely physical sense.[12] Rather, such surrender is ontological, it involves a real self-giving of each to the other. This self-gift certainly includes giving one's sexuality, but it is by no means exhausted by it. Instead, surrender involves giving the whole person. Wojtyla states:

> If marriage is to satisfy the demands of the personalistic norm it must embody reciprocal self-giving, a mutual betrothed love. The acts of surrender reciprocate each other, that of the man and that of the woman, and though they are psychologically different in kind, ontologically they combine to produce a perfect whole, an act of mutual self-surrender.[13]

Such self-giving may seem to contradict the incommunicability of the person, but Wojtyla claims that what is clearly impossible in the natural order is possible in the order of love and in the moral sense. He states, 'in this sense, one person can give himself or herself, can surrender entirely to another, whether to a human person or to God, and such a giving of

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[11] Wojtyla, *Love and Responsibility*, p. 96.
[12] Wojtyla, *Love and Responsibility*, pp. 98-99. However, Wojtyla does suggest here that psychological surrender characterises the woman's conscious experience of marriage.
[13] Wojtyla, *Love and Responsibility*, p. 99.

the self creates a special form of love which we define as betrothed love.'[14] Furthermore, it is precisely the incommunicability of the person which makes the surrender possible.[15] For, according to Wojtyla, to make's one's 'inalienable and non-transferable "I" someone else's property' is not to destroy or impair one's 'I', but to enlarge and enrich it.[16] He continues that this profound paradox of betrothed love is found in the Gospel: 'he who would save his soul shall lose it, and he who would lose his soul for my sake shall find it again.'[17]

To summarize, the first premise states that in order for the sexual act to be a properly personal act, it must be an act of personal communion. The essence of this first premise is that the sexual act must be adapted to the personalistic norm. That is, it should be an act in which the person is treated as an end in him/herself, as a person to be loved rather than an object to be used. Love always involves the extension of oneself towards another, but betrothed love involves the complete surrender of the self to the other. Therefore, in order to be a properly personal act, the sexual act must be an act of complete self-surrender; as such, it is an act of personal communion.

3.2.ii In order to be an act of personal communion, the sexual act must be open to procreation

Wojtyla argues that for the sexual act to manifest the complete surrender of betrothed love it must be open to procreation. Only love, he states, can preclude the use of one person by another. But love 'is conditioned by the common attitude of people towards the same good, which they choose as their aim, and to which they subordinate themselves'.[18] In marriage, the common end which the couple share, and which ensures that the one person does not become a means to an end for the other, is procreation. Wojtyla states, 'such an end, where marriage is concerned, is procreation, the future generation, a family, and, at the same time, the continual ripening of the relationship between two people, in all the areas of activity

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[14] Wojtyla, *Love and Responsibility*, p. 97.
[15] See Crosby, p. 212.
[16] Wojtyla, *Love and Responsibility*, p. 97
[17] Wojtyla, *Love and Responsibility*, p. 97, referring to Matthew 10: 39.
[18] Wojtyla, *Love and Responsibility*, p. 30.

which conjugal life includes.'[19] Therefore, openness to procreation ensures that the possibility of using a person as a means to an end, or as an object of use, is excluded. In other words, openness to procreation ensures that the sexual act is an act of personal communion.

This reflects Wojtyla's understanding of the person. He states that while in the animal world there is only the order of nature, in the human world the order of nature is combined with the personal order. The person as subject can be distinguished from even the most advanced animals by an 'inner life' specific only to persons.[20] The nature of the person includes the 'power of self-determination', or free will, which is revealed by the fact that humanity acts from choice.[21] Therefore, while in the animal world there is only reproduction, which is achieved by instinct alone, in the human world instinct is combined with the power of the will. In this world, 'instinct alone decides nothing, and the sexual urge passes, so to speak, through the gates of the consciousness and the will.'[22] Therefore, the fact that men and women choose of their own free will to marry and engage in sexual relations puts such relations on a personal level.

However, Wojtyla also points out that the order of nature is not simply to be identified with the biological order, but is 'that of existence and procreation'.[23] When a man and a woman choose to marry and have sexual relations, they choose at the same time the possibility of procreation. They do so because 'sexual intercourse, on all occasions, is in the nature of things affected in one way or another by its primary purpose, procreation'.[24] Thus, objectively speaking, a marriage is more than simply a union of persons, or a 'reciprocal relationship between a man and a woman'. Instead, it is 'essentially a union of persons affected by the possibility of procreation'.[25] Hence, there are two orders present in the sexual

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[19] Wojtyla, *Love and Responsibility*, p. 30.
[20] Wojtyla, *Love and Responsibility*, p. 22.
[21] Wojtyla, *Love and Responsibility*, p. 24.
[22] Wojtyla, *Love and Responsibility*, p. 226.
[23] Wojtyla, *Love and Responsibility*, p. 226.
[24] Wojtyla, *Love and Responsibility*, p. 226.
[25] Wojtyla, *Love and Responsibility*, p. 226.

relationship, the personal order, which finds its expression in the love between the persons, and the order of nature, whose object is procreation.

That these two orders meet in sexual relations is revealed in the human experience of parenthood. In the sexual act, nature's only aim is reproduction, the bringing of new individuals of the same species into the world. In this sense, humanity is no different from any other species. However, because a human being is a person, reproduction has a far deeper personal significance. Parenthood has profound effects on the 'interior' of the person and assumes a whole series of choices connected with marriage and marital intimacy.[26]

Furthermore, Wojtyla argues that the two orders which meet in the sexual relationship cannot be separated, 'for each depends on the other.'[27] In particular, 'the correct attitude to procreation is a condition of the realization of love.'[28] In other words, the fulfilment of the personal order is dependent upon acting in line with the order of nature. According to Wojtyla, these two orders cannot be separated because of the very nature of the person. As we saw in the previous chapter, for Wojtyla nature is integrated in the person. A person cannot be truly understood apart from his or her nature. This applies to how the person is understood in relation to the sexual act. The sexual act has the potential for parenthood. If a sexual act is to have its full value as a union of persons there must be a conscious acceptance of the possibility of parenthood. That is, if it is to realise the personal order, it must respect the order of nature. Wojtyla states, 'in the order of love a man can remain true to the person only in so far as he is true to nature.'[29]

Hence, Wojtyla argues that it is only when the couple accept the possibility of parenthood that their sexual act is an act of personal communion. For the man to fully value

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[26] Wojtyla, *Love and Responsibility*, p. 227.
[27] Wojtyla, *Love and Responsibility*, p. 226. For a helpful description of the two orders outlined in *Love and Responsibility* see Mary Shivanandan, *Crossing the Threshold of Love: A New Vision of Marriage in the Light of John Paul II's Anthropology* (Edinburgh: T&T Clark, 1999), pp. 106-9.
[28] Wojtyla, *Love and Responsibility*, p. 226.
[29] Wojtyla, *Love and Responsibility*, p. 229.

the person of the woman, he must accept that she has the potential to become a mother. For the woman to fully value the person of the man, she must accept that he has the potential to become a father.[30] Therefore, if couples desire their sexual acts to be truly personal acts, acts which treat the other as a person to be loved rather than an object to be used, they must respect the order of nature. They must remain open to procreation because 'acceptance of the possibility of procreation in the marital relationship safeguards love and is an indispensable condition of a truly personal union'.[31]

Wojtyla's understanding of the inseparability of the personal order and the natural order in the sexual act resembles the central assertion of *Humanae Vitae*, which we noted in chapter two. The encyclical proposes that there is an inseparable connection between the unitive and procreative meanings of sexual intercourse.[32] Thus both Wojtyla and the encyclical maintain that the two orders and their different objects (love and procreation) cannot be separated. Shortly, we will suggest that the encyclical's understanding of the relationship between the two meanings is rather different to Wojtyla's; however, before we proceed, we will briefly mention the third premise.

3.2.iii But the contracepted sexual act is not open to procreation

The third premise is self-evident. Contraception prevents the sexual act from being open to procreation. *Humanae Vitae* defines contraception as 'every action which, either in anticipation of the conjugal act, or in its accomplishment, or in the development of its natural consequences, proposes, whether as an end or as a means, to render procreation impossible'.[33] Given that this third premise is self-evident we will now proceed to treat the conclusion.

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[30] Wojtyla, *Love and Responsibility*, p. 228.
[31] Wojtyla, *Love and Responsibility*, p. 230.
[32] HV 12.
[33] HV 14.

3.2.iv Therefore, the contracepted sexual act is not an act of personal communion and is therefore wrong

We have seen how, according to Wojtyla, the acceptance of the possibility of procreation must be present in the mind and will of the spouses for the sexual act to be a true and loving union of persons. They must accept in their consciousness and will the possibility that the man may become a father and the woman may become a mother. This is not to say that they must subjectively desire or intend a child to be the outcome of every marital act, but that they must be *objectively willing* to accept conception. Indeed, 'willingness for parenthood is an indispensable condition of love.'[34]

Furthermore, in remaining open to procreation, the spouses exclude the possibility of using one another for the end of enjoyment. However, when a couple 'deliberately exclude' the possibility of parenthood by artificial means, the act is emptied of all but 'utilisation for pleasure'.[35] In other words, the sexual act is degraded to the utilitarian level at which the partners use each other as a means to their own enjoyment. The act is then incompatible with the personalistic norm, it cannot be objectively loving because the partners treat each other as objects of use and not as persons. Wojtyla states:

> When the idea that 'I may become a father'/ 'I may become a mother' is totally rejected in the mind and will of husband and wife nothing is left of the marital relationship, objectively speaking, except mere sexual enjoyment. One person becomes an object of use for another person, which is incompatible with the personalistic norm.[36]

Therefore, if affirming the value of the person necessarily involves accepting the possibility of procreation, refusing this possibility is to reduce the sexual act from a personal act to an act in which each treats the other as an object of use for their own enjoyment. The whole experience is then about enjoyment, 'whereas it should be an expression of love with pleasure as an incidental accompaniment of the sexual act.'[37] Indeed, Wojtyla states that

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[34] Wojtyla, *Love and Responsibility*, p. 236.
[35] Wojtyla, *Love and Responsibility*, p. 228.
[36] Wojtyla, *Love and Responsibility*, p. 239.
[37] Wojtyla, *Love and Responsibility*, p. 235.

without the acceptance of the possibility of parenthood, 'marital intercourse cannot be said to be a realization of the personal order. Instead of a truly personal union, all that is left is a sexual association without the full value of a personal relationship.'[38]

Therefore, Wojtyla's argument is essentially quite different to both the perverted faculty argument and *Casti Connubii*'s position against contraception, both of which maintain that contraception is wrong because it violates the procreative end. Even in *Gaudium et Spes*, which is broadly personalist, interference in the sexual act is forbidden on the basis that any regulation of procreation is unlawful. However, Wojtyla is not arguing that it is the prevention of procreation *per se* which makes the use of contraception immoral. Rather, it is the fact that the prevention of procreation deprives the sexual act of its personal nature which makes contraception wrong. The offence does not lie directly in the prevention of procreation, but in the consequent prevention of the personal union, the failure to treat the other as a person to be loved.

In addition, Wojtyla appears to be proposing an argument against contraception which is rather different from *Humanae Vitae*. The general sense in the encyclical is that contraception violates the connection between the unitive and procreative meanings by attacking the procreative meaning, whilst leaving the unitive meaning intact. This sense can be detected in a series of statements in paragraph thirteen of the encyclical. We will briefly examine these statements in order to highlight how Wojtyla's argument differs from that of the encyclical.

Paragraph thirteen of *Humanae Vitae* begins by observing that just as a conjugal act imposed upon one's partner is not 'a true act of love', so 'a reciprocal act of love' which 'jeopardizes the responsibility to transmit life' contradicts the design of marriage and 'the will of the Author of life'. There is an interesting juxtaposition here. At its most basic, it implies that one who 'reflects well' should recognise that as a marital act imposed on one's partner violates the unitive meaning, so a marital act which is closed to procreation violates

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[38] Wojtyla, *Love and Responsibility*, p. 228.

the procreative meaning. Supposedly, if we can appreciate that an unloving act contradicts the unitive meaning, we should also be able to grasp that the use of contraception contradicts the procreative meaning. This juxtaposition is interesting in itself, for it implies that the two meanings retain a certain amount of independence. To violate the unitive meaning is wrong and to violate the procreative meaning is wrong, but to violate one of the ends is not automatically to violate the other. Furthermore, notice that an act which is closed to procreation is still described by the encyclical as 'a reciprocal act of love'. This implies that the unitive meaning remains intact even when contraception violates the procreative meaning.

Paragraph thirteen continues that to make use of the 'divine gift destroying, even if only partially, its meaning and purpose is to contradict the nature both of man and of woman and of their most intimate relationship'. It is unclear what is being referred to as the 'divine gift'. It may be the act of sexual intercourse itself, or it may be conjugal love, which is referred to later in the paragraph as a 'gift'. However, what is important is that the use of contraception 'only partially' destroys the meaning of the act. There may be ambiguity about exactly what is destroyed, but what matters is that it is only partially, rather than totally, destroyed. This implies that some of the meaning and purpose is retained.

What is clear, therefore, is that unlike Wojtyla's argument, in which the use of contraception radically changes the meaning of the act so that it is no longer a personal union but a sexual association, in *Humanae Vitae* some of the meaning of the act appears to be retained when contraception is used. This appears to be due to the fact that in the encyclical the ends retain a measure of independence. Hence, when the procreative meaning is violated by contraception this does not automatically violate the unitive meaning.

Certainly, the two ends do not appear to be as mutually dependent upon one another in the encyclical as they are in *Love and Responsibility*. The closest the encyclical gets to such dependency is in its definition of conjugal love. One of the characteristics of conjugal love is said to be its fecundity, which 'is not exhausted by the communion between husband

and wife, but is destined to continue, raising up new lives'.[39] This sentence is commonly considered to be a reference to the integration of the two meanings. For example, Janet Smith states, 'the fact that "fruitfulness" is included as a characteristic of conjugal love indicates that "offspring" are not considered a separate good of marriage, a procreative good of marriage distinct from a personalist good of marriage, but as one of the personalist values of marriage.'[40]

The point here is not to discuss whether this is the correct reading of the relationship between the two meanings in the encyclical (suffice it to say that such a reading makes more sense in light of the influence of John Paul II's work than in the original context of the encyclical); rather, the essential point lies in noting the substantial difference between describing one of the characteristics of love as fruitfulness and arguing that contraception is wrong because it violates the unitive meaning. The encyclical appears to assert that contraception is wrong because it separates the two meanings. It does not say that contraception is wrong because it violates the true meaning of love. Wojtyla does say that. He may think the encyclical says that, but it is our contention that this is more likely to be his personalist development of *Humanae Vitae.*

In essence, Wojtyla's argument against contraception differs from that found in *Humanae Vitae* to the extent that he understands both the unitive and the procreative meanings in terms of personalism. The encyclical certainly has a personalist interpretation of the unitive meaning, but Wojtyla's personalist understanding of procreation deepens the encyclical's conception of the inseparable connection. The encyclical suggests that contraception is wrong because it breaks the inseparable connection by attacking the procreative meaning. Wojtyla suggests that contraception is wrong because it breaks the inseparable connection by preventing the sexual act from being an act of personal communion, which by its very nature is procreative.

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[39] HV 9.
[40] Smith, *Humanae Vitae: A Generation Later*, p. 108.

3.2.v Conclusion

We have seen how Wojtyla argues in *Love and Responsibility* that the sexual act should be a properly personal act. It should be an act which is in line with the personalistic norm. That is, it should be an act in which the other is treated as a person to be loved and not as an object to be used. When, in the sexual act, the other is treated as a person to be loved, there will be a willing acceptance that she may become a mother and he may become a father. Such acceptance is essential if the sexual act is to be a properly personal act. A refusal to accept the possibility of parenthood is a refusal to accept the true nature of the person and the act as a personal union. If a couple deliberately exclude procreation through use of artificial contraception, the marital act is reduced to sexual enjoyment. The couple use each other as a means to an end and so violate the personalistic norm. Any action which violates the personalistic norm and fails to treat the other as a person to be loved is wrong. Therefore, contraception is wrong.

Before proceeding to examine how this argument is developed in John Paul II's papal works, brief mention should be made about periodic continence. According to Wojtyla, the personal union will be protected if a couple practice periodic continence. This practice demands that a couple adapt to the laws of nature, and so they act in accordance with the nature of the person. Periodic continence is therefore the only acceptable means of regulating conception because it is grounded in justice, as opposed to utility, and justice 'demands recognition of the supra-utilitarian value of the person'.[41] However, periodic continence is not to be treated simply as a family planning 'method' or 'technique'; to regard it as such is to describe it in utilitarian terms. Like artificial contraception, it then becomes just another method used to prevent procreation, and involves using the other as a means to enjoyment. Instead, according to Wojtyla, continence is a virtue which shapes and directs the love of the couple; it is 'the only attitude towards a partner in marriage, and particularly towards a wife, compatible with affirmation of the value of the person'.[42]

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[41] Wojtyla, *Love and Responsibility*, p. 239.
[42] Wojtyla, *Love and Responsibility*, p. 237.

Wojtyla notes that in order to practice periodic continence the sexual urge will need to be mastered. This urge is either to be used for its natural purposes or to be resisted 'when it threatens to degrade the relationship between two persons to a level lower than that of love, lower than the level on which the value of the person is affirmed in a union with a truly personal character'.[43] Couples are therefore to have a 'conscious attitude' towards the sexual instinct, mastery of which means 'to accept its purpose in marital relations'.[44] If a couple has such an attitude, Wojtyla considers that they will not only protect their personal union but also actively encourage its deepening and growth. Therefore, contrary to the pro-contraception argument that a couple's intimate union suffers because of periods of abstention, Wojtyla is confident that there are empirical benefits to be gained from practicing periodic continence. He states, 'the personal union takes deeper root, grounded as it is above all in affirmation of the value of the person and not just in sexual attachment'.[45]

3.3 John Paul II's Papal Works

We have seen how Wojtyla employed personalist philosophy in *Love and Responsibility* to argue for the immorality of contraception. We will now turn to examine how John Paul II developed this argument during his pontificate. In order to do so we will focus our attention on his apostolic exhortation *Familiaris Consortio* and the final section of *The Theology of the Body* entitled, 'Reflections on *Humanae Vitae*'. Again, we will examine his argument, step by step, as outlined in the logic structure we described in the introduction:

i. To be a properly personal act, the sexual act must be an act of personal communion.
ii. In order to be an act of personal communion, the sexual act must be open to procreation.
iii. But the contracepted sexual act is not open to procreation.
iv. Therefore, the contracepted sexual act is not an act of personal communion and is therefore wrong.

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[43] Wojtyla, *Love and Responsibility*, p. 229.
[44] Wojtyla, *Love and Responsibility*, p. 229.
[45] Wojtyla, *Love and Responsibility*, p. 241.

3.3.i To be a properly personal act, the sexual act must be an act of personal communion

As we have already seen, Wojtyla defines conjugal love in *Love and Responsibility* as the giving of one's own person to another, or the complete surrender of one's 'I'. In other words, conjugal love is defined primarily as the gift of self to the other. In his papal works, John Paul II develops this concept of love as self-gift. If the gift of self is to be a 'total gift' it must be a giving of the mind, will and body. He states, 'as an incarnate spirit, that is a soul which expresses itself in a body and a body informed by an immortal spirit, man is called to love in his unified totality. Love includes the human body, and the body is made a sharer in spiritual love.'[46]

In 'Reflections on *Humanae Vitae*', John Paul II argues that the human body is not simply an organism of sexual relations, but the means of expressing the person. It expresses the person by 'speaking' a language which has important 'interpersonal meaning', especially in the sexual act.[47] John Paul II states, 'by means of gestures and reactions, by means of the whole dynamism, reciprocally conditioned, of tension and enjoyment - whose direct source is the body in its masculinity and its femininity, the body in its action and interaction - by means of all this, man, the person, "speaks".'[48]

In the sexual act, the language of the body should speak the truth about both the subjects of the act and the nature of the act. For, like any other language, it is subject to the demands of truth, or objective moral norms.[49] According to John Paul II, *Humanae Vitae*'s assertion about the inseparable connection of the two meanings is precisely about 'reading the language of the body in truth'.[50] He states that in the sexual act:

> [...] The language of the body should express, at a determinate level, the truth of the sacrament. Participating in the eternal plan of love ('sacrament hidden in God'), the language of the body becomes a kind of prophetism of the body. It may be said that *Humanae Vitae*

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[46] FC 11.
[47] TOB, p. 397.
[48] TOB, pp. 397-8.
[49] TOB, p. 398.
[50] TOB, p. 388.

> carries to the extreme consequences - not merely logical and moral, but also practical and pastoral - this truth concerning the human body in its masculinity and femininity.[51]

As the body is the expression, or sacrament, of the person, so the bodily unity in the marital act is the sacramental sign of their *communio personarum* (communion of persons). John Paul II calls the ability of the body to be the outward expression of the communion of persons, the 'nuptial meaning of the body'.[52] The body, because of its sexual differentiation into male and female, and so its ability to become 'one flesh', can serve and express the communion of the persons. In other words, it can serve and express the love which is at the heart of the conjugal union.

If the language of the body is to speak the truth in the sexual act, the spouses must make a total gift of themselves to the other. Indeed, this is the 'innate language' of the sexual act: the body speaks of the total surrender to the other. That is, the bodily union is a sign of total personal self-surrender. This meaning of the body is pre-formed in the nature of man and woman, and so it is objective and ontological. Hence, to talk of the sexual act as an act of self-giving is not to talk of the emotion which is conferred by spouses onto the meaning of the act. Rather, it is to talk of the objective ability of the act to express the personal union. In his *Letter to Families* he describes the 'intimate gift' which the spouses make to one another:

> Intimate is not here synonymous with subjective. Rather, it means essentially in conformity with the objective truth of the man and woman who give themselves. The person can never be considered a means to an end; above all never a means of pleasure. The person is and must be nothing other than the end of every act. Only then does the action correspond to the true dignity of the person.[53]

Therefore, if the sexual act is to be an act of personal communion, if it is to speak the truth about the subjects of the act and the nature of the act, it must express the nuptial meaning of the body.

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[51] TOB, p. 397.
[52] TOB, pp. 60-63.
[53] John Paul II, *Letter to Families*, p. 17.

John Paul II's understanding of the value of periodic continence and self-mastery is also integral to his appreciation of the sexual act in terms of self-gift. Developing the arguments found in *Love and Responsibility* about self-surrender and the incommunicability of the person, John Paul II argues that a person cannot make a gift of herself unless she is in control of herself. Such self-control is fundamental to the dignity of the person. He states, 'man is precisely a person because he is master of himself and has self-control.'[54] Therefore, to act as a person, we must act with self-control. To have control over the sexual act (that is, to be able to refrain from it when necessary), means that 'sexuality is respected and promoted in its truly and fully human dimension, and is never "used" as an "object" that, by breaking the personal unity of soul and body, strikes at God's creation itself at the level of the deepest interaction of nature and person'.[55]

Without such self-control over the passions, a person will be treated as an object and used as a means to the end of sexual pleasure. According to John Paul II, we must master such passions if the sexual act is to express love and self-gift; for we cannot give what we are not in control of. Marshall Fightlin explains the logic of John Paul II's argument as follows:

> Without self-control there is no freedom from the sexual impulse. Without this freedom, true giving and receiving are impossible. Instead, they become taking and grabbing. Further, one cannot give what one does not have. One does not truly 'have' oneself unless one has self-control. Hence, without self-mastery, one cannot truly give oneself to another.[56]

Therefore self-mastery, or continence, is essential to 'safeguarding the importance and the dignity proper to the conjugal act as expressive of interpersonal union'.[57] For the language of the body to speak the truth, for self-gift and conjugal love to be expressed in the act, there must be self-control. Continence, that is, is an essential virtue for the genuine expression of love.

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[54] TOB, p. 398.
[55] FC 32.
[56] Marshall Fightlin, 'John Paul II on Humanae Vitae', *International Review of Natural Family Planning*, 9 (1985), 122-138 (p. 124).
[57] TOB, p. 410.

3.3.ii In order to be an act of personal communion, the sexual act must be open to procreation

Cormac Burke, one of John Paul II's students, comments that although Paul VI affirmed the inseparable connection of the unitive and procreative meanings, 'he did not, however, go on to explain *why* these two aspects of the marital act are, in fact, so inseparably connected, or why this connection is such that it is the very ground of the moral evaluation of the act.'[58] We have already noted the argument Wojtyla puts forward for the inseparability of the unitive and procreative meanings in *Love and Responsibility*. There he argues that the meanings are mutually dependent upon one another, so that to deprive the act of its procreative meaning is automatically to deprive it of its unitive meaning. We argued that this mutual dependency is not explicitly evident in *Humanae Vitae*.

After writing *Love and Responsibility*, John Paul II continued to ground the inseparability of the two meanings in their mutual dependency. For the language of the body to speak the truth, the sexual act must respect the inseparability of the procreative and unitive meanings. He states, 'in the conjugal act it is not licit to separate the unitive aspect from the procreative aspect, because both the one and the other pertain to the intimate truth of the conjugal act. The one is activated together with the other and in a certain sense the one by means of the other.'[59] Thus, the unitive meaning is activated with and dependent upon the presence of the procreative meaning. If the sexual act is not open to procreation it cannot express conjugal love.

We must remember that this inability of non-procreative sexual acts to express conjugal love concerns the objective expression of love, rather than any subjective expressions of love. John Paul II quotes paragraph 51 of *Gaudium et Spes*, which states that the harmonizing of conjugal love with the responsible transmission of life 'must be determined by objective standards. These, based on the nature of the human person and his or her acts, preserve the full sense of mutual self-giving and human procreation in the context of

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[58] Cormac Burke, 'Marriage and Contraception', in *Why Humanae Vitae was Right: A Reader*, ed. by Janet E. Smith (San Francisco: Ignatius Press, 1993), pp. 153-169 (pp. 155-6).
[59] TOB, p. 398.

true love.'[60] Therefore, it is the very nature of the sexual act, and of the person, which determines that only sexual acts open to procreation will express conjugal love. For, the 'criterion of truth', which should be expressed in the language of the body, is that the 'conjugal act signifies not only love, but also potential fecundity'.[61] John Paul II states that *Humanae Vitae* recalls precisely this 'criterion of truth', the truth that the marital act is both procreative and unitive. This is the truth that the language of the body should speak.

When the language of the body speaks this truth, it also speaks the truth about conjugal love. Indeed, his emphasis on the mutual dependency of the two meanings is essentially grounded in his understanding of the nature of conjugal love. This love, he states:

> [...] Involves a totality, in which all the elements of the person enter - appeal of the body and instinct, power of feeling and affectivity, aspiration of the spirit and of will. It aims at a deep personal unity, the unity that, beyond union in one flesh, leads to forming one heart and soul; it demands indissolubility and faithfulness in definitive mutual self-giving; and it is open to fertility.[62]

By its very nature, therefore, conjugal love is procreative. For if the nature of conjugal love is total self-giving, and if total self-giving means giving the body and its potential for procreation, then true conjugal love will be open to procreation. Love is essentially a gift, but this love 'does not end with the couple, because it makes them capable of the greatest possible gift, the gift by which they become co-operators with God for giving life to a new human person. Thus the couple, while giving themselves to one another, give not just themselves but also the reality of children.'[63] It is therefore clear that, according to John Paul II, the nature of love is procreative. The fullest expression of conjugal love is manifested when husband and wife become father and mother. Elsewhere he states, "the fullest sign of this mutual self-giving is expressed when the couple willingly accept children and bring them up in the knowledge and love of God."[64]

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[60] FC 32.
[61] FC 32.
[62] FC 13.
[63] FC 14.
[64] John Paul II, 'The Married Life Calls For a Constant and Generous Effort to Deepen the Conjugal Communion' (Homily given at a Mass on 17 August), *L'Osservatore Romano*, 26 August 1985, p. 5. Also see FC 28: 'fecundity is the fruit and the sign of conjugal love, the

Hence, John Paul II deepens the understanding of the inseparable connection in his papal works. He claims that it is love which unites and integrates the two ends; love, 'as a higher power', co-ordinates the actions of the husband and wife 'in the sphere of the purposes of marriage'.[65] He admits that neither *Gaudium et Spes* nor *Humanae Vitae* use the language of love to describe the integration of the two meanings, but he considers this to be implicit in these documents. 'Love', he continues, 'correctly unites the two meanings of the conjugal act, excluding not only in theory but above all in practice the contradiction which may be evidenced in this field.'[66] If it is love which unites the two meanings and, moreover, if the very nature of love is procreative, then John Paul II has developed a very strong argument against the revisionist theologians. For, if it is love which unites the two meanings, the choice to use contraception cannot be justified on the grounds of love.

3.3.iii But the contracepted sexual act is not open to procreation

As we mentioned in our examination of *Love and Responsibility*, the third premise is self-evident. Contraception prevents the sexual act from being open to procreation. Given that this third premise is self-evident, we will now proceed to treat the conclusion.

3.3.iv Therefore, the contracepted sexual act is not an act of personal communion and is therefore wrong

If a total self-gift can only be made when the sexual act remains open to procreation, contracepted sexual acts can never be acts of total self-giving. Indeed, according to John Paul II, contraception contradicts the 'innate language' of sexual intercourse. The innate language says 'I give myself totally to you', but that is contradicted by the language of contraception which says 'I refuse to give you my fertility, I refuse to give you all of myself'. At the same time, contraception introduces the language of rejection; it says, 'I reject part of you, I reject

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living testimony of the full reciprocal self-giving of the spouses.'
[65] TOB, pp. 406-7.
[66] TOB, p. 407.

your fertility'. The language of contraception is, therefore, both a partial withholding and a partial rejection.[67] It is imposed upon, and contradicts, the innate language of self-giving. Thus, John Paul II writes:

> When couples, by means of recourse to contraception, separate these two meanings that God the Creator has inscribed in the being of man and woman and in the dynamism of their sexual communion, they act as 'arbiters' of the divine plan and they 'manipulate' and degrade human sexuality - and with it themselves and their married partner - by altering its value of 'total' self-giving. Thus the innate language that expresses the total reciprocal self-giving of husband and wife is overlaid, through contraception, by an objectively contradictory language, namely, that of not giving oneself totally to the other. This leads not only to a positive refusal to be open to life but also to a falsification of the inner truth of conjugal love, which is called upon to give itself in personal totality.[68]

Therefore, the offense of contraception is that it prevents the spouses from making a total gift of themselves. The innate language of the body speaks of this total self-gift, but contraception introduces a contradictory language which alters the meaning of the sexual act. Therefore, in using contraception to deprive the act of its procreative capacity, the act also ceases to be an act of love. As in *Love and Responsibility*, the offense of contraception is not located in the prevention of procreation *per se*; rather, it is located in the prevention of total self-gift and the violation of conjugal love. Thus, in commenting upon *Familiaris Consortio*, Garcia de Haro states that the exhortation, 'puts not only conjugal love but also procreation in a personalist context. It is precisely for this reason that contraception is the very negation of the truth of conjugal love as a personal reality.'[69]

Contraception therefore prevents the sexual act from being a communion of persons. John Paul II states:

> It can be said that in the case of an artificial separation of these two aspects (the unitive and procreative meanings), a real bodily union is carried out in the conjugal act, but it does not correspond to the interior truth and to the dignity of personal communion - communion of persons. This communion demands that the language of the body be expressed reciprocally in the integral truth of its meaning. If this truth be lacking, one cannot speak either of the truth of self-mastery, or of the truth of the reciprocal gift and of the reciprocal acceptance of self on

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[67] On the language of contraception see Fightlin, p. 125; also see Smith, *Humanae Vitae: A Generation Later*, pp. 110-118.

[68] FC 32.

[69] Garcia de Haro, *Marriage and the Family in the Documents of the Magisterium*, trans. by W. E. May (San Francisco: Ignatius Press, 1993), p. 346.

> the part of the person. Such a violation of the interior order of conjugal union, which is rooted in the very order of the person, constitutes the essential evil of the contraceptive act.[70]

Therefore, it is not that couples who use contraception do not have a real bodily union. Rather, it is because their bodily union does not correspond to the dignity of a personal union that it only has the *appearance* of a personal union. Equally, couples may think that they are expressing love in a contracepted sexual act, but they are mistaken; no amount of subjective emotion on the part of the spouses can make it an act of love. This does not mean that the couple do not love each other, or hope to express that love through sexual intercourse; rather, it means that their contracepted sexual act is *objectively* one of use, and not one of love. It can never be an act of personal communion.

3.3.v Conclusion

In this section, we have seen how John Paul II argues against contraception on essentially the same grounds in his papal works as those he proposed in *Love and Responsibility*. Certainly, the logic of the argument is the same. He maintains that for the sexual act to be a properly personal act, it must be an act of personal communion in which the spouses make a total gift of themselves. Total self-giving is only possible when the sexual act is open to procreation. Respecting the potential for children means that the act speaks the truth about the person and the nature of the act. Contraception deprives the act of its procreative potential, therefore preventing total self-giving and the expression of conjugal love, and in so doing overlays the innate language of self-giving with a contradictory language. Insofar as contraception contradicts the dignity of the person and violates conjugal love, it is morally wrong. Indeed, 'the resort to artificial means destroys the constitutive dimension of the person. It deprives man of the subjectivity proper to him and makes him an object of manipulation.'[71]

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[70] TOB, p. 398.
[71] TOB, p. 397.

3.4 A Critical Analysis of John Paul II

So far, we have examined John Paul II's argument against contraception by considering it in terms of the following logic structure:

i. To be a properly personal act, the sexual act must be an act of personal communion.
ii. In order to be an act of personal communion, the sexual act must be open to procreation.
iii. But the contracepted sexual act is not open to procreation.
iv. Therefore, the contracepted sexual act is not an act of personal communion and is therefore wrong.

We will now offer a critical analysis of John Paul II's argument by examining it premise by premise. In the course of doing so, we will grant many of the basic assumptions of personalism, notably the value given to conjugal love and the personal communion. Hence, we will grant John Paul II the first premise, but then go on to identify the second premise as problematic.

In relation to the second premise, we will grant that, within a marriage, there is a direct relationship between openness to procreation and the fostering of conjugal love. However, John Paul II's insistence that the fullness of self-giving should be present in each individual sexual act is more problematic. We will suggest that the full expression of self-giving in marriage and the fostering of the marital communion is not dependent upon the openness of every individual sexual act to procreation, but upon the openness of the marriage as a whole to procreation. Hence, while self-giving in marriage should be full, and express itself in a willingness to have children, it is not the case that such self-giving is only expressed where every sexual act is open to procreation.[72]

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[72] In making this argument, we have in mind Paul Ramsey's work on contraception, which will be examined in chapter 5.

3.4.i To be a properly personal act, the sexual act must be an act of personal communion

We have seen how John Paul II maintains that for the sexual act to be properly personal, it must be an act of personal communion. In order for it to be an act of personal communion, the spouses must treat each other as persons to be loved and not as objects to be used. That is, the sexual act must be adapted to the personalistic norm. This norm states that love is the only proper and adequate attitude towards a person. All forms of love involve extending oneself towards the other, but conjugal love involves mutual self-surrender. This is achieved by making a total gift of oneself to the other. In the sexual act, the bodily union speaks the innate language of this total self-gift. The bodily union expresses the personal union. When the bodily union speaks the truth about the personal union, the sexual act is an act of personal communion.

We will grant John Paul II this premise; indeed, there is much here which we might commend. John Paul II has allowed the subjective human experience of love to inform and deepen his understanding of the objective moral order. His personalist interpretation of the marital relationship has significantly advanced Roman Catholic thinking on this subject, and there is much that we can gain from his appreciation of the person and his argument that the sexual act must be an act of personal communion.

To an extent, we can appreciate John Paul II's conceptualization of conjugal love in terms of self-gift. It is fair to say that, in the sexual act, desire for union is expressed through mutual giving and receiving, and so the bodily union should express self-gift and personal surrender. This will no doubt demand a degree of self-control, for the ability to refrain from the sexual act when appropriate is essential if the other is to be loved, rather than treated as a means to one's selfish ends. Therefore, we would concur with much of what John Paul II says about the ability of the sexual act to 'speak' of the personal union, and the need for the act to express the truth about personal communion.

However, it is interesting to note some of the criticism which has been levelled at this first premise. Lisa Sowle Cahill is one of John Paul II's most notable critics.[73] She questions whether, in characterising the love which is expressed in the sexual act not only as self-gift but as total self-gift, he has not overly-idealised and romanticized the marital experience. According to Cahill, the idea 'that each act is a total self-gift depends upon a very romanticized depiction of sex, and even of marital love'.[74] She continues by outlining some of the factors which might make giving oneself 'totally' in every sexual act problematic: 'there will be times when an act of sexual sharing is hampered or disturbed by factors, intrinsically or extrinsically generated, which impinge, either temporarily or permanently, on the couple's relationship.'[75] These, she states, may include economic, family or work anxieties. Yet, even in 'the *most* ideal of circumstances human beings rarely if ever accomplish "total self-gift".'[76]

In his recent book, *Sex and Love in the Home*,[77] David Matzko McCarthy is also critical of the overly romanticized view of marriage often found in Roman Catholic personalism. Although his work fails to give John Paul II's account adequate attention, he argues that the 'standard account' of personalism (in which he includes John Paul II) is guilty of attempting to 'out-romance romantic love on its own terms'.[78] Like Cahill, he argues that it is impossible for each sexual act to express total self-giving. Sex, he argues, is far more 'ordinary' and 'those who believe sex is earth shattering will put it out of marriage'.[79]

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[73] See for example, Lisa Sowle Cahill, *Sex, Gender and Christian Ethics* (Cambridge: Cambridge University Press, 1996); Lisa Sowle Cahill 'Catholic Sexual Ethics and the Dignity of the Person: A Double Message, *Theological Studies*, 50 (1989), 120-150; Lisa Sowle Cahill, 'Marriage: Institution, Relationship, Sacrament', in *One Hundred Years of Catholic Social Thought: Celebration and Challenge*, ed. by John A. Coleman (Maryknoll, New York: Orbis Books, 1991), pp. 103-119.

[74] Cahill, *Sex, Gender and Christian Ethics*, p. 203.

[75] Cahill, *Sex, Gender and Christian Ethics*, p. 203.

[76] Cahill, *Sex, Gender and Christian Ethics*, p. 203.

[77] David Matzko McCarthy, *Sex and Love in the Home: A Theology of the Household* (London: SCM Press, 2001).

[78] Matzko McCarthy, p. 62.

[79] Matzko McCarthy, p. 44.

Cahill and Matzo McCarthy appear to be refering to the subjective experience of marriage, according to which couples rarely accomplish total self-gift amidst the practical stresses of daily life. Janet Smith, a contemporary expositor and advocate of John Paul II, correctly replies to Cahill. She reminds Cahill that John Paul II's understanding of self-gift in the sexual act is not subjective but objective, it concerns the very nature of the act. Smith continues, 'John Paul, again, is saying that to remove the procreative meaning from sexual intercourse diminishes if not negates the unitive meaning and that spouses are only furthering the alienation they may feel from one another when they are engaging in contracepted intercourse.'[80] According to Smith, therefore, John Paul II is not referring to romantic affection in relation to self-gift; rather, 'he teaches only that one's actions must express one's love and commitment; he is not commenting on attitude.'[81]

Smith's reply to Cahill's criticism certainly appears to be in line with our examination of John Paul II's argument. When he describes the sexual act in terms of self-gift, John Paul II is not describing the emotional experience of self-surrender; instead, he is describing the ontological significance of the action. He is not talking about the subjective experience of marriage, but the objective nature of the act. However, there are areas of potential confusion in John Paul II's work which may explain why Cahill makes such an argument.

John Paul II claims that subjective human experience can both reveal and confirm objective moral norms, including the norm against contraception. Hence, there are places in which John Paul II introduces additional empirical arguments against contraception. An example of this is found in his defence of periodic continence, or self-mastery. We have seen how John Paul II argues that a person must have self-control in order to give themselves to another. He argues that such self-mastery, or continence, has many empirical benefits for a couple.[82] We may agree that self-control has empirical benefits for a couple; after all, a lack

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[80] Smith, *Humanae Vitae: A Generation Later*, p. 259.
[81] Smith, *Humanae Vitae: A Generation Later*, p. 259.
[82] See FC 32 and 33. In FC 33 John Paul II quotes extensively from HV 21: 'such discipline bestows upon family life fruits of serenity and peace, and facilitates the solution of other problems; it favours attention for one's partner, helps both parties drive out selfishness, the enemy of true love; and deepens their sense of responsibility. By its means, parents acquire

of sexual self-control would be likely to have detrimental effects on a couple's relationship. However, the introduction of this additional empirical argument is confusing. Indeed, while on the one hand the self-mastery essential to self-gift is described in ontological terms, on the other John Paul II appeals to the subjective human experience of periodic continence in arguing that such couples experience a depth of intimacy that contracepting couples will never attain.

Therefore, while Smith is right to claim that John Paul II is not alluding to the emotional experience of couples when describing the sexual act in terms of self-gift, the introduction of such additional empirical arguments possibly explains why Cahill criticises him on the subjective level. The mistake that Cahill seems to make is that she fails to draw a distinction between John Paul II's understanding of ontological self-giving in the sexual act, and his argument that such self-giving will result in empirical benefits. The former argument describes the objective nature of the act, while the latter describes the subjective experience of the act, but we must be careful not to confuse the two.

3.4.ii In order to be an act of personal communion, the sexual act must be open to procreation

If we can grant the first premise, it is the second premise which appears to be the most dubious. Previously, we saw how Wojtyla argues in *Love and Responsibility* that there are two orders which meet in the sexual act: the order of nature and the personal order. Both orders pertain to the intimate truth of the nature of the sexual act, and the nature of the person. As the order of nature is integrated in the person, so a sexual act can only be true to the person insofar as it is true to nature. Thus there is a mutual dependency between the two orders which meet in the sexual act; for the act to realise the personal order, it must respect the order of nature. That is, for the sexual act to foster and express conjugal love it must remain open to procreation.

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the capacity of having a deeper and more efficacious influence in the education of their offspring.'

Essentially, John Paul II's argument against contraception concerns the very nature of love. In the sexual act, conjugal love is expressed by making a total gift of oneself to the other. Such a gift of self can only be total if it includes the gift of fertility, one's potential for parenthood. To exclude this part of oneself is to not give oneself totally, and so not to express love for the other in the sexual act. Such acts are not able to realise the personal communion, and the language of the body contradicts the innate language of the sexual act, the language of complete personal union.

In offering a critical analysis of this premise, it is crucial to grasp the extent to which John Paul II understands the procreative and unitive meanings to be mutually dependent. We have suggested that the two meanings appear to retain a certain amount of independence in *Humanae Vitae*, and that John Paul II has significantly developed the encyclical's understanding of the inseparable connection.

Some criticisms of John Paul II's argument are dubious because they seem to fail to appreciate the extent to which he regards the two meanings as mutually dependent. For example, Cahill considers that for all John Paul II's emphasis on the subjective human experience of love, procreation continues to function as the moral norm which governs the expression of love. So, Cahill states that one of the assumptions behind John Paul II's teaching is that 'in the area of sexuality the interpersonal aspects of moral agency ought to be governed by (not just respectful of) its physical pre-conditions'.[83] Elsewhere, she observes that John Paul II is using the 'physical procreative structure of each sex act to test the personal intimacy of the union the acts express'.[84]

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[83] Cahill, 'Marriage', p. 110.

[84] Cahill, *Sex, Gender and Christian Ethics*, p. 200. The role of procreation in 'testing' or 'measuring' love is one which Cahill identifies with Roman Catholic thought since *Casti Connubii*. She states that mutual love 'remains in uneasy alliance with the privileged role of procreation in defining sexual morality. The high praise accorded to marital love, coupled with an insistence that it be measured by its physical "openness" to conception, is symptomatic of this tension.' See Cahill, *Sex, Gender and Christian Ethics*, p. 202.

Cahill is therefore suggesting that while John Paul II claims to have a personalist understanding of human relationships, he continues to make the biological structure of the sexual act, and its openness to procreation, of paramount moral importance. Thus, he does not properly appreciate the moral value of the *relationship* within which the sexual act is performed. She states that traditionalists, including the magisterium, 'tend to so tie procreation to acts that their affirmation of procreation is premised on what amounts to a denigration of the relationships in which it takes place.'[85] Cahill argues, however, that the genuinely relational and personal meanings of the sexual act 'are not commensurate with a criterion of biological structure'.[86] Instead, she considers that the logical conclusion of a personalist appreciation of human relationships, including John Paul II's personalist teaching, would be some form of change to the teaching against contraception.

She suggests that John Paul II is unable to make such a change because the 'bottom line' of his theological personalism is that it must be consistent with the doctrine of *Humanae Vitae*. Thus, she considers the practical expressions of the new emphasis on love (including, we might assume, the norm on contraception), to be 'ambivalent if not schizophrenic'.[87] Hence, one supposes, the title of her article in *Theological Studies*: 'Catholic Sexual Ethics and the Dignity of the Person: A Double Message'; a double message because it 'ambiguously assimilates modern understandings of the person, of freedom, and of interpersonal relationships to a pre-modern emphasis on the physical "nature" of sex and reproduction'.[88]

Cahill's criticisms do offer some valuable insights. For example, her suggestion that John Paul II is concerned to concur with, and strengthen, the teaching of his predecessors, notably Paul VI's encyclical, may correctly explain something of the motivation behind his teaching. However, where Cahill seems to have misunderstood John Paul II is in her apparent failure to appreciate the extent to which he understands the two meanings to be mutually

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[85] Cahill, 'Catholic Sexual Ethics', p. 150.
[86] Cahill, *Sex, Gender and Christian Ethics*, p. 200.
[87] Cahill, 'Marriage', p. 108.
[88] Cahill, 'Marriage', p. 103.

dependent. Surely, she is mistaken to suggest that John Paul II's argument is schizophrenic and contains a 'double message'? Such a suggestion assumes that the two meanings can be separated in a way which is incompatible with John Paul II's teaching. Contrary to Cahill's interpretation of his argument, it is not governed by the objective norm of procreation, but by an understanding of the person and the very nature of love. Hence, he does not over-emphasise the place of procreation in the expression of love, but maintains that within the order of love, openness to procreation is essential for total self-giving.

If John Paul II's argument is essentially an argument about the very nature of love, a stronger analysis of it may be made by questioning his understanding of love, that is, by asking whether love is procreative in quite the way that John Paul II maintains. One interpretation of John Paul II's teaching on the procreative nature of love is that of his student, Cormac Burke. According to Burke's reading of John Paul II, giving one's fertility, and potential for parenthood, is the most significant self-gift one can make:

> [...] It should not be forgotten that while two persons in love want to give themselves to one another, to be united to one another, this desire of theirs remains, humanly speaking, on a purely volitional level. They can *bind* themselves to one another, but they cannot actually *give* themselves. The greatest expression of a person's desire to give *himself* is to give the *seed* of himself. Giving one's seed is much more significant, and in particular is much more real, than giving one's heart. 'I am yours, I give you my heart; here, take it' remains mere poetry, to which no physical gesture can give true body. But 'I am yours; I give you my seed; here take it', is not poetry; it is love. [...] In human terms, this is the closest one can get to giving one's self conjugally and to accepting the conjugal self-gift of another, and so achieving spousal union.[89]

In some senses Burke's interpretation of the procreative nature of love is understandable; in the sexual act, the desire for personal union is expressed in mutual giving and receiving. What is not clear, however, is why the seed is the most significant self-gift, or the greatest expression of a person's love. Why is the gift of seed, as opposed to the gift of the heart, the most significant expression of love? We can imagine situations in which the giving of the heart might be far more significant. Take, for example, a man who would rather give his seed to a prostitute, than make the commitment of giving someone his heart. Or, consider surrogacy, in which the gift of the seed is usually given without any of the

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[89] Burke, p. 157.

significance Burke wishes to attach to it. Therefore, from the fact that the meaning of conjugal love is to make a total gift of oneself (including one's potential for parenthood), it does not necessarily follow that the gift of seed is the most significant expression of love.

Furthermore, contrary to Burke, who suggests that the expression of love involves giving one's seed *to* the other, there may be cases where the exact opposite, the refraining from giving one's seed to the other, would perhaps be the greatest expression of love. If, for example, a woman is likely to die in child-birth, or a spouse has HIV, it is arguable that the greatest expression of love will be shown by refraining from giving the seed to the other. In this case, love is not shown by giving oneself *to* one's partner, but by giving oneself *for* one's partner. The spouse refrains from intercourse and this refraining becomes a gift *for* their spouse.

However, we might ask whether Burke's interpretation correctly follows the teaching of John Paul II. Although our earlier examination of his work revealed that John Paul II considers the fullest expression of conjugal love to be manifested when spouses become father and mother, there is a real difference between saying that parenthood reveals the fullness of self-giving and, as Burke suggests, that giving one's seed is the most significant self-gift. Indeed, while John Paul II clearly states that the sexual act must be open to procreation if a total self-gift is to be made, he does not appear to suggest that the giving of procreation is any more significant than the giving of one's heart. Furthermore, in some respects Burke has made the same mistake as Cahill. He suggests that giving one's fertility is the pinnacle of personal self-giving, hence implying that personal self-giving and the giving of procreation can be separated. However, as we have seen, John Paul II's argument is essentially about the very nature of love. It is in the nature of love that sexual acts are to be procreative. This means that procreation cannot be separated from the personal communion, but neither can it be seen as the most significant aspect of self-giving.

Perhaps the essential question, therefore, is whether or not we can accept John Paul II's conception of the procreative nature of love. In the context of marriage, the willingness to

become parents may certainly be in direct relation to the fostering of the marital communion. It is possible, for example, that the refusal of procreation may indeed be a refusal of the other. A woman trapped in a loveless marriage may take measures to prevent pregnancy, not because she does not want to have a child, but because she does not want to have a child with this particular man. In other words, she is not directly rejecting the child, but she is rejecting the husband that she does not love. Or, to take another example, might we not think it strange if a married couple chose to have children but to have them with other partners instead of with each other? In such a situation, the marital relationship may well be detrimentally affected. Hence, we can see how an openness to procreation does bear upon the fostering of the personal union. Indeed, we might concur with John Paul II's claim that, in the context of marriage, the lack of a willing acceptance of the possibility of parenthood may threaten the personal communion and the expression of conjugal love.

However, according to John Paul II, this 'inseparable connection' is not simply to be respected within the context of a marriage, but in each act of sexual intercourse. While we may accept that self-giving in marriage should be full, we might ask whether the expression of this fullness is dependent upon each individual sexual act being open to procreation. Is it really the case that the fullness of self-giving is only expressed when every sexual act is open to procreation? Do sexual acts which are closed to the possibility of parenthood always fail to foster and express the personal communion between the spouses? To properly tackle such questions we must attempt to understand the relationship between individual sexual acts and the marital union in which they take place.

Both Cahill and Matzko McCarthy argue that John Paul II misunderstands this relationship. Matzko McCarthy suggests that the personalist account of sex does not so much go wrong, but that 'it says too much to be right'.[90] He argues that, according to the personalist account, the individual sexual act takes on a 'transcendent' meaning; it 'transcends its particular meaning in time, in order to reveal the complete contours of our two-in-one-flesh humanity'.[91] Although Matzko McCarthy is referring here to personalist thinking in general, it

[90] Matzko McCarthy, p. 43.
[91] Matzko McCarthy, p. 43.

is clearly applicable to John Paul II. John Paul II's insistence that the sexual act should speak the complete truth about the personal communion has the effect of lifting the individual sexual act out of its context, and placing upon it the full meaning of the marital communion. The sexual act is treated in isolation from the relationship in which it takes place, without reference to the past or to the future of that personal union; hence, it takes on a 'transcendent meaning' and should speak of the full significance of the personal communion.

Matzko McCarthy goes on to suggest that no individual sexual act can carry the full meaning of the marital union. He states, 'no sexual act represents a total self or full relationship. Rather what we do today gains its meaning in relation to yesterday and what we will do tomorrow.'[92] Similarly, Cahill argues that while human beings rarely accomplish total self-gift, 'the level of self-gift we do accomplish is rarely required to manifest itself, all or nothing, in a single action, much less in every one of a series of actions that we perform regularly.'[93] In other words, within a marriage, the meaning of the sexual act does not stand in isolation from the other sexual acts which are performed over the course of a relationship, or to the marriage relationship itself. An individual sexual act always has a context in time and history, and its true meaning will only be properly grasped this context.

So, for example, while the meaning of the sexual act of a married couple who have several children will only be understood in that particular context, the sexual act of an unmarried teenage couple will only be understood in that particular context. The meaning of these two sexual acts cannot be considered to be the same unless they are treated in isolation from their contexts. Attempts to grasp the meaning of sexual acts in isolation from their context in time and history force them to take on a 'transcendent' meaning, and to carry the full weight of the personal communion.

Matzko McCarthy and Cahill may offer valuable insights when they question whether an individual sexual act can carry the full meaning of the marital relationship. However, it is perhaps an unnecessarily strong claim to suggest that an individual sexual act can *never* carry

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[92] Matzko McCarthy, p. 44.
[93] Cahill, *Sex, Gender and Christian Ethics*, p. 203.

the full expression of personal self-giving. There may be particular situations in which an individual sexual act can be a full expression of self-gift, as Matzko McCarthy himself seems to acknowledge: 'sexual intercourse might, on occasion, have a symbolic import. Given the right circumstances, sex might speak of the whole person and an entire shared life, but as a concrete embodiment, sex means what it happens to mean day to day.'[94] However, contrary to the general thrust of Matzko McCarthy's argument, if we allow that an individual sexual act might, in particular circumstances, express full self-giving, then we do not need to object that an individual act can *never* carry the full meaning of the marital communion. Instead, we may wish to question whether John Paul II is right to insist that full self-giving can *only* be expressed when every individual act is open to procreation.

However, the criticisms of Cahill and Matzko McCarthy really weaken when they argue that within the life of the marriage as a whole, individual sexual acts will have a variety of meanings. Matzko McCarthy states that some acts will express 'spontaneous joy, friendship or a deep connection', while others 'might turn out to be melancholy experiences, and important precisely because they express that something is not quite right'; some will have a 'reconciling effect', while others may reveal 'a bit of anger or alienation'.[95] He continues, 'sex says so many things and isolated acts say so little'.[96]

Of course, Matzko McCarthy is right to suggest that sex can have many different subjective meanings; however, this does not necessarily threaten John Paul II's argument at this point (we will recall that John Paul II proposes that self-giving should be full in an objective rather than a subjective sense). Ironically, the essential problem with Matzko McCarthy's argument is that he appears to be making the very same mistake that John Paul II makes. In suggesting that an individual sexual act can carry a multiplicity of different meanings according to the everyday realities of married life, he too is in danger of treating the individual sexual act as if it has no past or future reference, as if it can be understood in isolation from what the act has meant before and what it will mean tomorrow.

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[94] Matzko McCarthy, p. 48.
[95] Matzko McCarthy, p. 47.
[96] Matzko McCarthy, p. 48.

Indeed, if one day the sexual act expresses spontaneous joy, while another day it reveals anger and alienation, then we are still treating these sexual acts in isolation from each other and from the wider context of marriage. The idea that the meaning of a sexual act can be understood apart from the context in which it takes place is precisely the problem with John Paul II's insistence that each sexual act should have its own internal justification. It fails to appreciate that it is in the very nature of marriage for sexual acts to have a past and a future reference, and that the true meaning of sexual acts cannot be properly grasped unless they are understood in the context in which they occur.

While we might accept, therefore, that within the life of a marriage as a whole there may be a direct relationship between openness to procreation and the fostering of conjugal love, we are dubious about John Paul II's insistence that full self-giving can only be expressed when each individual sexual act is open to procreation. It seems that John Paul II says too little about self-giving and too much about the sexual act. On the one hand, his tendency to isolate the individual sexual act from its context, its past and future references, suggests that he seems to undervalue the marriage relationship in which the act takes place, and does not allow for the way in which self-giving in marriage is truly expressed. On the other hand, his insistence that each act should express the full meaning of the personal union, leads him to overvalue the individual sexual act. We are perhaps left wondering, therefore, exactly how sexual acts actually belong to the good of marriage.

In essence, therefore, our objection is that the appraisal of the moral significance of the sexual act may need to make reference to the wider context of the relationship in which it occurs. A sexual act always has a past and a future reference, and it is difficult to understand the meaning of a single sexual act in abstraction from this context. This is true whether we are referring, for example, to the sexual act of spouses who have been married for a long time and who have children, or to the sexual act between two strangers who will never meet again. The moral character of these acts may not be understood properly without reference to the context in which they occur.

If this is the case, we might suggest that the meaning of a contracepted sexual act of a married couple with children cannot be treated as if it were morally equivalent to a contracepted sexual act between two strangers who will never meet again. Of course, John Paul II would not regard two such acts as morally equivalent in every respect; however, given the use of contraception in both cases, he would claim that neither couple achieves personal communion. In contrast, we have suggested that any assessment of the moral character of an act will need to take its context into consideration. This means that a contracepted sexual act of a married couple who have fostered their conjugal love through rearing children may nurture their personal communion in a way that a contracepted sexual act between two strangers may not.

Furthermore, we might also suggest that if the sexual act is to be understood in the context of the relationship of the couple, then it is the nature of this context which is morally significant. Therefore, the crucial question is whether or not the relationship as a whole is one in which there is genuine self-giving through openness to procreation. If it is such a relationship, we might be encouraged to conclude that the full expression of self-giving is not *only* expressed when each individual sexual act is open to procreation.

3.4.iii But the contracepted sexual act is not open to procreation

As we have already mentioned, this third premise is self-evident. Contraception prevents the sexual act from being open to procreation. Hence, we will proceed to treat the conclusion.

3.4.iv Therefore, the contracepted sexual act is not an act of personal communion and is therefore wrong

It may be objected that the argument we have outlined in response to the second premise resembles that presented by the 1966 Majority Group Report, and later by the revisionist theologians, to which we referred in the previous chapter. There, we saw how the majority group proposed that the procreative end should be respected within the 'totality' of the marital relationship rather than in every individual act.[97] Paul VI condemned this 'principle of totality', according to which the 'finality of procreation pertains to the ensemble of conjugal life, rather than to its single acts'.[98] In *Humanae Vitae*, Paul VI states that acts which are made intentionally sterile cannot be justified by 'the fact that such acts would constitute a whole together with the fecund acts already performed or to follow later, and hence would share in one and the same moral goodness'.[99]

Of course, we might ask whether Paul VI had correctly understood the argument proposed by the 1966 Majority Group, which did not justify sterile sexual acts by other procreative sexual acts, but by the good of the marital relationship. The Majority Report states, 'if they are to observe and cultivate all the essential values of marriage, married people need decent and human means for the regulation of conception.'[100] However, this remains a proportionalist argument, according to which the use of contraception is justified by the good of the marriage. In response to this argument, we might concur with the underlying principles of Paul VI's criticism of it; he states, 'it is not licit, even for the gravest of reasons, to do evil so that good may follow therefrom.'[101]

In contrast to this proportionalist argument, we are not suggesting that the use of contraception is justified within the totality of the married relationship. Indeed, we have yet

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[97] See p. 54
[98] HV 3.
[99] HV 14.
[100] 'Majority Papal Commission Report', in *The Catholic Case for Contraception*, ed. by Daniel Callahan (London: Arlington Books, 1969), pp. 149-173 (p. 158).
[101] HV14.

to be convinced that the use of contraception needs any such justification. Certainly, having examined John Paul II's argument, we are doubtful that contracepted sexual acts are intrinsically wrong; therefore, we do not need to propose proportionalist arguments in order to advocate its use. Instead, we have suggested that it is the nature of self-giving within the context of the marriage relationship, rather than individual acts, which is morally significant; hence, it seems perfectly acceptable to suggest that contraception is morally licit within a marriage in which there is a general openness to procreation.

3.5 Conclusion

In this chapter, we have suggested that John Paul II's argument against contraception is unconvincing as it stands. However, this is not to negate the fact that John Paul II's personalist development of *Humanae Vitae* amounts to a particularly strong argument against contraception. Indeed, there is much about his argument which we would wish to commend. For example, the movement away from the naturalistic perverted faculty argument to the respect for the interior relationship of the couple and the importance given to conjugal love. What makes John Paul II's argument against contraception a particularly strong one is the fact that he argues against contraception on the very grounds that the pro-contraceptive lobby cite in its favour: a personalist interpretation of the marital relationship. Indeed, he has strengthened the mutual dependency of the unitive and procreative ends so that his argument against contraception is effectively founded upon the very nature of love. These are the grounds upon which the 1966 Majority Group Report justified the use of contraception. However, according to John Paul II, it is the very love which they seek to nurture which is destroyed by contraception.

We have accepted that within a marriage there may be a direct relationship between the development of conjugal love and openness to parenthood. However, we have also suggested that John Paul II may be mistaken to think that this self-giving can only be fully expressed when every individual sexual act is open to procreation. Indeed, we have proposed that the full expression of self-giving may be dependent upon the openness of the marriage as

a whole to procreation, rather than the openness of every individual act. If, therefore, John Paul II's argument is unconvincing as it stands, we must enquire as to whether there is a more adequate argument against contraception. To this end, we will turn to the thought of the Grisez School.

Chapter Four

The Grisez School's Defence of *Humanae Vitae*

4.1 Introduction

In chapter two we outlined the three main natural law arguments used to defend the Roman Catholic Church's argument against contraception. We highlighted some of the difficulties with the perverted faculty argument in that chapter. Then, in chapter three, we suggested that there are aspects of John Paul II's personalist argument which are problematic. We will now examine the thought of the Grisez School in order to assess whether their argument against contraception is any more adequate. The School has written extensively to demonstrate how their natural law theory can be applied to the question of contraception. Indeed, even Janet Smith, who is one of their critics, recognises that they 'rightly deserve the title as foremost defenders of the Church's teaching on contraception'.[1]

Grisez began to apply his new natural law theory to the question of contraception in one of his earliest works, *Contraception and the Natural Law*, which was published prior to *Humanae Vitae* in 1964.[2] Since then, the Grisez School has developed their argument in *The Teaching of Humane Vitae: A Defence*,[3] and Grisez's most recent treatment of the subject appears in *Living a Christian Life*, which is the second volume of *The Way of the Lord Jesus*.[4]

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[1] Janet E. Smith, *Humanae Vitae: A Generation Later* (Washington, D.C.: The Catholic University of America Press, 1991), p. 340.

[2] Germain Grisez, *Contraception and the Natural Law* (Milwaukee: The Bruce Publishing Company, 1964).

[3] Germain Grisez, John C. Ford, Joseph Boyle, John Finnis and William E. May, *The Teaching of Humanae Vitae: A Defense* (San Francisco: Ignatius Press, 1988). This book contains two articles: '"Every Marital Act Ought to be Open to New Life": Toward a clearer understanding', by Germain Grisez, Joseph Boyle, John Finnis and William E. May, (originally published in the *Thomist*, 52 (1988), 365-425), and 'Contraception and the Infallibility of the Ordinary Magisterium', by John C. Ford and Germain Grisez, (originally published in *Theological Studies*, 39 (1978), 258-312). For a response to the latter article see Garth Hallet, 'Contraception and Prescriptive Infallibility', *Theological Studies*, 43 (1982), 629-50; and for Grisez's response to Hallet see Germain Grisez, 'Infallibility and Contraception: A Reply to Garth Hallet', *Theological Studies*, 47 (1986), 134-45.

In these latter works, the School is primarily concerned to defend the conclusion of *Humanae Vitae* rather than its argument.[5] Indeed, at some points there is implicit criticism of the encyclical's arguments. For example, they state that they hope to clarify some of the 'confusions' occasioned by *Humanae Vitae* and *Familiaris Consortio*. According to the School, these confusions have not arisen from the central teachings of these documents, but from 'their explanations both of why contraception is wrong and of why NFP can be morally acceptable'.[6]

Given that the aim of the Grisez School is to defend the conclusion of *Humanae Vitae* rather than its argument, it is perhaps unsurprising that the various members of the School occasionally interpret the encyclical differently.[7] However, this disparity makes negligible difference to the two distinct but complementary arguments advocated by the School against contraception. The first argument states that contraception acts against the basic good of life, this will be referred to as the 'contralife' argument.[8] The second argument states that contraception acts against the basic good of marriage, this will be referred to as the 'contramarital' argument.[9] The logic of these arguments appears to run as follows:

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[4] Germain Grisez, *The Way of the Lord Jesus: Living a Christian Life*, 3 vols (Quincy, Illinois: Franciscan Press, 1993), II. Hereafter referred to as LCL.

[5] See Grisez's introduction to *The Teaching of Humanae Vitae*, p. 7; LCL, p. 506; Smith, *Humanae Vitae: A Generation Later*, p. 341 and p.353.

[6] Grisez and others, *The Teaching of Humanae Vitae*, p. 39.

[7] Compare John Finnis' more critical comments about the encyclical in 'Natural Law and Unnatural Acts', *The Heythrop Journal*, 11 (1970), 365-387 (pp. 386-7), with William E. May's rather more generous defence of the encyclical found in both *Contraception: Humanae Vitae and Catholic Moral Thought* (Chicago: Franciscan Herald Press, 1984) and in 'The Moral Methodology of Vatican Council II and the Teaching of *Humanae Vitae* and *Persona Humana*', *Anthropotes*, 5 (1989), 29-45.

[8] Although a form of this argument was made by Grisez in *Contraception and the Natural Law*, the School first properly proposed this argument in '"Every Marital Act Ought to be Open to New Life": Toward a Clearer Understanding', and much of this article appears in condensed form in *Living a Christian Life*, chapter 8, question E (pp. 506-519).

[9] While the Grisez School frequently uses the term 'contralife', it does not use the term 'contramarital' in any of its works. John Finnis used the term in an e-mail to me and has given me permission to use it.

The Contralife Argument[10]

i. Life is a basic good.

ii. It is wrong to have a hostile intention against a basic good.

iii. Contraception involves a hostile intention against the basic good of life.

iv. Therefore, contraception is wrong.

The Contramarital Argument

i. Marriage is a basic good.

ii. It is wrong to have a hostile intention against a basic good.

iii. Contraception involves a hostile intention against the basic good of marriage.

iv. Therefore, contraception is wrong.

This chapter will begin with an examination of the two arguments, premise by premise. In a similar fashion, we will then offer a critical analysis of the arguments and find them both wanting. In response to the third premise of each argument, we will propose that contraception does not necessarily involve a hostile intention against the good of life or the good of marriage. However, if it *can* be shown that contraception involves a hostile intention against these goods in the sense that Grisez alleges, we will then question whether it is always wrong to have such an intention. In other words, we will begin by objecting to the third premise, but then also object to the second premise.

4.2 The Contralife Argument

In *Humanae Vitae*, Paul VI states that 'every marital act ought to be open to new life'.[11] The Grisez School states that the only plausible interpretation of this claim is that it is 'wrong for those who engage in marital intercourse to attempt to impede the transmission of life, which they think their act otherwise might bring about; for, if they do try to impede that

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[10] For the purposes of this chapter, I have slightly adapted the logic of the contralife argument which Grisez proposes in LCL, pp. 512-513.

[11] HV 11.

to which their act of itself might lead, they choose to close it to new life.'[12] Understood in this way, they suggest that Paul VI's proposition is essentially the same as saying that contraception is always wrong. However, they also consider that their formulation is helpful in clarifying the definition of contraception. They state:

> 'Contraception' signifies only the prevention of *conception*, but the contraceptive act seeks to impede *the beginning of the life of a possible person*. The distinction is only conceptual, but we think it important, for the explicit reference to new life calls attention to the fact that contraception is a contralife act.[13]

That contraception is a contralife act has, the School claims, been consistently maintained by the unbroken teaching of the Roman Catholic Church against contraception. They cite the canon concerning contraception, *Si aliquis*, which was included in the Roman Catholic Church's universal law until 1917. The canon states that any action which prevents conception is to be regarded as homicide. The School understands this canon to mean that contraception is wrong because it is contralife, and those who use it commit a sin analogous to homicide.[14]

4.2.i Life is a basic good

I introduced to the Grisez School's concept of the basic goods in chapter two. There we saw how the basic goods are primary principles providing basic reasons for action which need no further justification. Life, we noted, is listed among the substantive goods.[15] In volume one of *The Way of the Lord Jesus*, entitled *Christian Moral Principles*, Grisez includes procreation and the handing on of life to new persons within the good of life itself.[16] However, in his earlier works, procreation is named as a distinct basic good which is

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[12] Grisez and others, *The Teaching of Humanae Vitae*, p. 36.
[13] Grisez and others, *The Teaching of Humanae Vitae*, p. 36.
[14] LCL, p. 507, and Grisez and others, *The Teaching of Humanae Vitae*, pp. 36-7.
[15] See p. 60.
[16] See Germain Grisez, *The Way of the Lord Jesus: Christian Moral Principles*, 3 vols (Quincy, Illinois: Franciscan Press, 1997), I, p. 124; hereafter referred to as CMP. Also see LCL, p. 467.

independent of the basic good of life.[17] The shift from regarding procreation as a distinct basic good to subsuming it within the basic good of life is not explained by the School. However, subsuming it within the basic good of life means that the School is able to treat contraception alongside other means of attacking the basic good of life, such as the killing of the innocent and abortion, rather than in relation to sexual ethics.

At this stage, it is important to note that the Grisez School assumes that the basic good of life can only occur in specific instantiations. So, while we might anticipate an argument which proposes that contraception attacks the generic good of life, instead, the School asserts that contraception attacks particular instances of this good. Obviously, they do not claim that there is an actual life in existence which contraception attacks; however, they do assert that because the basic good of life only occurs in specific instantiations, contraception can only attack particular instances of this good.

4.2.ii It is wrong to have a hostile intention against a basic good

In chapter two we saw how the Grisez School identifies specific moral norms by considering how a person's will relates to the basic goods when making a choice. If the choice involves violating one of the modes of responsibility then it is unreasonable and prohibited by a specific moral norm.

It is the seventh and eighth modes of responsibility which are the most important in the Grisez School's work on contraception.[18] The seventh states that 'one should not be moved by hostility to freely accept or choose the destruction, damaging, or impeding of any

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[17] Grisez, *Contraception and the Natural Law*, p. 64 and p. 111. Also see Germain Grisez, 'A New Formulation of a Natural Law Argument Against Contraception', *The Thomist*, 30 (1966), 343-361 (p. 348), in which he names several reasons for thinking that the good of the initiation of human life (the good of procreation), is distinct from the good of human life as such. See also, Finnis, 'Natural Law and Unnatural Acts', in which procreation is the basic value attacked by contraception.

[18] Grisez cites these modes in his own logic summary of the contralife argument. See LCL, p. 513.

intelligible human good'.[19] The eighth states that 'one should not be moved by a stronger desire for one instance of an intelligible good to act for it by choosing to destroy, damage, or impede some other instance of an intelligible good'.[20] What is prohibited by these modes, therefore, is the direct intentional choice to act against any of the basic goods. By this, they do not necessarily mean the failure to pursue a good (it is possible to honour the goods without actively pursuing them), but that it is wrong to directly intend against any of the goods.

4.2.iii Contraception involves a hostile intention against the basic good of life

4.2.iii.a Contraception is defined by its intention to impede the basic good of life

Throughout the Grisez School's writing, contraception is defined 'in terms of the beliefs, intentions and choices that render behavior contraceptive'.[21] They claim that it cannot be defined in terms of a pattern of behavior because there are 'many outward performances that could, but need not, be ways of contracepting'.[22] Here, they cite the example of women with pathological conditions who are treated with drugs which other women use as contraception. Equally, while they are keen to demonstrate how the intention in natural family planning (NFP) can be distinguished from the intention with which contraception is used, they also recognise that it is possible for NFP to be practised as an method of contraception.[23] This is because it is the disposition of the will, rather than behavior, which is the key moral criterion.

The Grisez School argues that defining contraception in terms of intention is in line with *Humanae Vitae*. Indeed, they claim that Paul VI could not have defined contraception in

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[19] CMP, p. 215.
[20] CMP, p. 216.
[21] Grisez and others, *The Teaching of Humanae Vitae*, pp. 41-2.
[22] LCL, p. 507.
[23] Grisez, *Contraception and the Natural Law*, p. 3. See also, Joseph Boyle, 'Contraception and Natural Family Planning', in *Why Humanae Vitae was Right: A Reader*, ed. by Janet E. Smith (San Francisco: Ignatius Press, 1993), pp. 409-417 (p. 414).

any other way, 'for only certain intentions can render the various things people do ("any action") contraceptive.'[24] The Grisez School describes the intention and choice involved in contraception as follows:

> [...] To contracept a person must think that prospective sexual intercourse might cause a new life to begin, and that this possible effect can be impeded by some other behavior he or she could perform. The choice is to perform that other behavior; the relevant immediate intention (which may or may not be directed toward some further purpose) is that the new life not begin.[25]

This definition of the intention with which contraception is used also presupposes the School's proposal that its use involves two choices: the choice to engage in sexual intercourse and the choice to use contraception. Lawler, Boyle and May state, 'intercourse is the chosen object of one human act, whereas contraception or the impeding of procreation is the chosen object of another human act, namely the contraceptive act.'[26] To demonstrate that there are two distinct acts involved in the use of contraception they cite the example of a young couple tempted to fornicate. This couple has two choices to make; firstly, whether to fornicate, and secondly, whether to use contraception.[27] Thus, according to the Grisez School, even when the outward behavior testifies to the close association of the two acts, the contraceptive act is related to the sexual act only contingently and instrumentally, inasmuch as it lessens the likelihood of pregnancy.[28]

Therefore, the School maintains that the contraceptive act is distinct from any sexual act.[29] In this regard, they cite the example of a dictator who puts a fertility-reducing additive into the public water supply in order to control the population of his country. He may not engage in any sexual intercourse, or will his subjects to do so, but he has performed a

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[24] LCL, p. 508.
[25] LCL, p. 508. Also see Grisez and others, *The Teaching of Humanae Vitae*, p. 42.
[26] Ronald Lawler, Joseph Boyle, Jr. and William E. May, *Catholic Sexual Ethics: A Summary, Explanation and Defense*, 2nd edn (Huntingdon, Indiana: Our Sunday Visitor, 1998), p. 146.
[27] LCL, p. 508. Also see Grisez and others, *The Teaching of Humanae Vitae*, p. 42.
[28] LCL, pp. 509-510. Also see Grisez and others, *The Teaching of Humanae Vitae*, p. 43; and Boyle, 'Contraception and Natural Family Planning', p. 409.
[29] LCL, pp. 508-509.

contraceptive act.[30] Therefore, although the School acknowledges that contraception is generally closely associated with sexual intercourse, and its use 'presupposes at least the belief that a possible act of sexual intercourse might be fruitful',[31] the use of contraception is not to be thought of as a sexual act or treated as an issue of sexual ethics.[32] Instead, contraception is defined by the intention against the basic good of life which, as the example of the dictator illustrates, is distinct from the sexual act.

From this argument the School proposes that the principle of double effect cannot be correctly applied to the use of contraception. If the contraceptive act and the sexual act were to be treated the same action, then it may be possible to use the principle of double effect in order to justify the use of contraception. For example, it may be possible to argue that as one act with two effects, contraception can be used to further the good of the marital relationship, while accepting the prevention of pregnancy as a side-effect. However, if there are two distinct acts then the principle of double effect cannot be used 'to justify what is done in one act by the good features of another, distinct act'.[33]

4.2.iii.b Contraception involves a hostile intention against a specific instantiation of the basic good of life

As we stated above, the Grisez School assumes that the basic good of life can only occur in specific instantiations.[34] Therefore, according to the School, it is not simply the general good of life which is impeded by the use of contraception but the beginning of the life of a possible person. Grisez states, 'contraception aims to impede both the initiation of life and the being of the individual whose life might be initiated if it were not impeded.'[35] Considered as a technological intervention in a biological process, the School does not think

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[30] Grisez and others, *The Teaching of Humanae Vitae*, p. 41.
[31] LCL, p. 509.
[32] LCL, pp. 509-510. Also see Grisez and others, *The Teaching of Humanae Vitae*, p. 43.
[33] LCL, p. 510, footnote 100. Also see Grisez and others, *The Teaching of Humanae Vitae*, p. 44.
[34] See p. 109.
[35] LCL, p. 508. Also see Grisez and others, *The Teaching of Humanae Vitae*, p. 42.

that contraception bears on an individual's life. However, considered in moral terms, they propose that contraception carries out a choice specified by a future state of affairs: the life of a baby. Grisez argues, 'to prevent a conception completely prevents the initiation of a particular life'; he continues, 'each such life is of indefinite importance in itself, and we must be extremely careful not to set ourselves against it.'[36]

Grisez goes on to suggest that people who use contraception are aware that a new human life could potentially result from their sexual act. The couple 'imagine' a new person coming to be and they 'efficaciously will' that this imagined person never be.[37] Indeed:

> They look ahead and think about the baby whose life they might initiate. Perhaps for some further good reason, perhaps not, they find the prospect repugnant: 'We do not want that possible baby to begin to live.' As the very definition of contraception makes clear, that will is contralife; it is a practical (though not necessarily an emotional) hatred of the possible baby they project and reject, just as the will to accept the coming to be of a baby is a practical love of that possible person.[38]

Grisez considers that this 'projecting' and 'rejecting' of a particular instance of life is equivalent to a direct attack upon it. Of course, contraception does not attack an actual instance of life, as in homicide or abortion. However, Grisez argues that human acts only affect the future (hence, homicide does not destroy the victim's past life, but only his future life). The homicidal will can then be likened to the contraceptive will in the sense that it 'is only against life that would be and not a life that is'.[39] Therefore, although the use of contraception does not attack an actual instance of life, it is no different from other human acts, such as abortion, in the sense that it bears upon the future of a possible instance of life. Furthermore, as in homicide in which the prospective life curtailed is continuous with the actual life of the person, Grisez argues that when contraception fails the prospective life which it sought to prevent is continuous with the actual life of the 'unwanted child'.[40]

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[36] Grisez, *Contraception and the Natural Law*, p. 94.
[37] LCL, p. 509.
[38] Grisez and others, *The Teaching of Humanae Vitae*, p. 46.
[39] Grisez and others, *The Teaching of Humanae Vitae*, p. 46.
[40] LCL, p. 513. When Grisez describes the child conceived against the will of the parents as 'unwanted' he is describing their volition rather than their emotion towards the child. It is only the former which is morally determinative. See LCL, p. 511.

Of course, Grisez is not claiming that contraception involves an injustice towards an individual, for there is no actual individual to be offended. However, because one's will can be unjust without doing an actual injustice to a person, he considers that the contraceptive will can be described as unjust. In using contraception, a person's will intends against the life of a possible person. If contraception fails, an unwanted baby comes to be. But, Grisez continues, even when that baby is accepted and loved, she still came to be as unwanted. Hence:

> [...] To choose contraception knowing that it might fail and a baby might come to be as unwanted is to be willing to put another in a position no reasonable person would wish to be in. Therefore, choosing contraception is an injustice, even if it succeeds and the harm remains in one's heart.[41]

Furthermore, Grisez suggests that even if it could be shown that contraception is not unjust, this would not make it morally justifiable. He points out that there are some moral evils, such as suicide, which are not injustices. Again, while contraception differs from suicide in the sense that it does not destroy an actual person, both actions attack the future of the life that would be. Therefore, Grisez describes the choice to contracept as 'a choice to limit the continuity of real human life'.[42] He continues:

> For, in preventing the baby whom they project and reject, those who choose to contracept limit their own lives as they tend to become one and to flow beyond themselves. It is as if, by contracepting, they commit a kind of limited suicide; they choose to cut off their life together, as they are about to hand it on, at the precise point at which a new person might emerge.[43]

4.2.iv Therefore, contraception is wrong

In light of the fact that contraception can only be used with a hostile intention to impede a specific instantiation of the basic good of life, the Grisez School proposes that it is always morally wrong. Thus, they argue that any choice to use contraception is always a

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[41] LCL, p. 514.
[42] LCL, p. 515.
[43] LCL, p. 515.

'grave matter', as it has been regarded throughout the tradition of the Roman Catholic Church.[44] We will offer a critical analysis of the contralife argument after we have examined the other major argument which the Grisez School proposes against contraception.

4.3 The Contramarital Argument

In the 1988 article, '"Every Marital Act Ought to be Open to New Life": Toward a Clearer Understanding', the Grisez School notes that although the tradition of the Roman Catholic Church has always objected to contraception because of its contralife character, more recent papal teaching has done so in relation to other values, such as chastity and marital love.[45] They continue, 'we think, however, that while contraception is wrong for several reasons, it is wrong primarily and essentially because it is contralife.'[46] However, in *Living a Christian Life*, they outline a complementary but distinctive argument against contraception. It proposes that contraception is wrong because it is '*contra bonum matrimonii*' (against the good of marriage).[47] Clearly, it has been developed in light of John Paul II's teaching on marriage and procreation.[48] Prior to making this argument, the School had referred to the detrimental effects of contraception upon marital love, but it had only ever established its malice on the grounds of its contralife character.[49]

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[44] See LCL, p. 517.
[45] Grisez and others, *The Teaching of Humanae Vitae*, pp. 38-9. They do not refer to specific Roman Catholic Church documents, but by 1988 John Paul II had published *Familiaris Consortio* (1981) and given his Wednesday audiences on the theology of the body (1979-1984).
[46] Grisez and others, *The Teaching of Humanae Vitae*, p. 39.
[47] See John Finnis 'The Good of Marriage and the Morality of Sexual Relations: Some Philosophical and Historical Observations', *The American Journal of Jurisprudence*, 42 (1997), 97-134. This article is summarised in John Finnis, *Aquinas: Moral, Political, and Legal Theory* (Oxford: Oxford University Press, 1998), pp. 143-54.
[48] See William E. May, 'Germain Grisez on Moral Principles and Moral Norms: Natural and Christian' in *Natural Law and Moral Inquiry: Ethics, Metaphysics, and Politics in the Work of Germain Grisez*, ed. by Robert P. George (Washington, D.C.: Georgetown University Press, 1998), pp. 3-35 (p. 30, footnote 17).
[49] See Grisez, *Contraception and the Natural Law*, p. 103. Also see, Grisez, 'A New Formulation of a Natural Law Argument Against Contraception', p. 359.

We will now examine the contramarital argument following the basic logic structure we outlined in the introduction to this chapter:

i. Marriage is a basic good.
ii. It is wrong to have a hostile intention against a basic good.
iii. Contraception involves a hostile intention against the basic good of marriage.
iv. Therefore, contraception is wrong.

4.3.i Marriage is a basic good

Prior to *Living a Christian Life*, the Grisez School proposed a core list of seven basic goods. In this volume Grisez adds an eighth good to the list, the basic good of marriage. Previously, the School had reduced marriage to two of the other basic goods. The marital communion (or unitive end) had been reduced to the basic good of friendship, and procreation had been reduced to the basic good of life. However, Grisez now attempts to set out why marriage is a single, unified and basic human good.[50]

Grisez argues that until the twentieth century, the theological tradition of the Roman Catholic Church, rooted in the thought of Augustine, had always understood marriage to be an instrumental good. In other words, it regarded marriage as good insofar as it was a means to an end, that end being either procreation or the mutual comfort afforded to the couple. However, during the twentieth century, the Roman Catholic Church came to regard marriage as an intrinsic good. That is, marriage is now no longer regarded as a means to an end. Instead, 'its various goods and ends can now be seen as aspects of its intrinsic goodness.'[51] Intelligible goods which are intrinsically good are basic human goods.[52] Therefore, instead of reducing marriage to several distinct goods, Grisez argues that it is a many-faceted but unified basic human good.

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[50] See LCL, p. 568, footnote 43.
[51] LCL, p. 556. See LCL, pp. 555-569 for a a full description of this argument. It is also summarized by Grisez in 'The Christian Family as Fulfillment of Sacramental Marriage', *Studies in Christian Ethics*, 9 (1996), 23-33.
[52] LCL, p. 567.

According to Grisez, the conjugal good is complex; it includes both the good of the marital communion and the good of parenthood. These goods function as interdependent aspects of the conjugal good which cannot be reduced to either one alone. So, whereas procreation was previously regarded as the good end to which marriage was instrumental, procreation is now intrinsic to the good of marriage. This is because parenthood is an activity which not only benefits the children, but it also fulfils the couple. In so far as it does so, it 'is not an extrinsic end to which one-flesh unity is instrumental, but a realization of its potentiality'.[53] Therefore, Grisez concludes:

> In sum, marriage is a basic human good, and the married couple's common good is, not any extrinsic end to which marriage is instrumental, but the communion of married life itself. The *communion of married life* refers to the couple's *being* married, that is, their being united as complementary, bodily persons, so really and so completely that they are two in one flesh. This form of interpersonal unity is actualized by conjugal love when that love takes shape in the couple's acts of mutual marital consent, loving consummation, and their whole life together, not least in the parenthood of couples whose marriages are fruitful. Thus, in considering marriage as a basic human good, none of its traditional ends and goods is set aside; rather, all of them are included in the intrinsically good communion of married life itself.[54]

4.3.ii. It is wrong to have a hostile intention against a basic good

As was stated in relation to the second premise of the contralife argument, the Grisez School proposes that specific moral norms are identified by considering how the will relates to the basic goods when a choice is made. We noted that the seventh and eighth modes of responsibility state that one should not be moved either by hostility or by a strong desire for one of the basic goods to destroy or damage any of the other goods. Therefore, according to the Grisez School, it is wrong to intend against a basic good.[55]

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[53] LCL, p. 568.
[54] LCL, p. 568.
[55] See pp. 109-110.

4.3.iii Contraception involves a hostile intention against the basic good of marriage

The Grisez School argues that for spouses to respect the basic good of marriage, they should only engage in 'chaste acts of marital intercourse'.[56] In other words, spouses should only engage in sexual acts which are conducive to the good of marriage by being 'fully integrated with commitment to this good'.[57] Grisez claims that a sexual act which is not a chaste marital act is wrong because 'by diverting the couple's sexual behavior and experience from the good of marriage in its integrity, it damages that good and substitutes a merely apparent good: some of the psychological satisfactions or sentient pleasures pertaining to marital sex isolated from its wholeness.'[58] Furthermore, Grisez states that 'if such an act is chosen with the intent to impede new life, it is also contraceptive, and so is wrong because it violates the seventh or eighth modes of responsibility'.[59] In other words, the use of contraception is wrong because it involves a hostile intention against the basic good of marriage. We shall now explore the details of this argument.

According to the Grisez School, Christian married couples 'should not consider themselves entitled to any and every sexual activity which they find mutually agreeable, but should engage in chaste acts of marital intercourse'.[60] Such chaste acts will include the first marital act which 'consummates the marriage by making the husband and wife actually to be one flesh'.[61] Marital acts which follow will express conjugal love, whereas, non-marital acts cannot do so because 'their action must have other motives, which, even if they include mutual affectionate feelings, are unintegrated with conjugal love and more or less at odds with it'.[62] Only chaste marital acts which 'subordinate genital arousal and satisfaction to the reasonable claims of all the aspects of their common good as a married couple'[63] can express marital love.

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[56] LCL, p. 634.
[57] LCL, p. 634.
[58] LCL, p. 646.
[59] LCL, p. 646.
[60] LCL, p. 634.
[61] LCL, p. 634.
[62] LCL, p. 635, footnote 162.
[63] LCL, p. 639.

What, then, is this common good? According to the Grisez School, parenthood is the realisation of a couple's one-flesh unity and the intrinsic fulfilment of the marital communion. It is therefore the common good which shapes marriage as a community. Grisez comments:

> The common good or goods of any community determine its structure and form of cooperation [...]. Therefore, although marriage cannot be reduced to parenthood, its ordering toward the begetting and raising of children determines the conditions for the unity and cooperation of a married couple.[64]

It is on the basis of how parenthood shapes marriage as a distinctive community that the Grisez School continues to describe procreation as the 'primary' end of marriage. Lawler, Boyle and May state, 'the primacy of the procreative good is not a primacy of value but of definition; the procreative good is what defines marriage as the kind of community and institution it is and distinguishes it from other forms of friendship.'[65]

Therefore, it is the couple's cooperation in the common good of procreation which makes the marital community different from other communities. This, the School argues, is demonstrated by the fact that while every animal is biologically complete in respect to most functions (such as nutrition), in respect to reproduction, each animal is only a potential part of the mated pair. Hence, in sexual intercourse suited to initiate new life, men and women complete each other and become an organic unit, they become 'one flesh'.[66]

As it is the organic complementarity of man and woman in respect to reproduction which is the 'necessary condition for the very possibility of marriage', marital acts must realise the spouses' organic complementarity.[67] That is, for a sexual act to be a chaste marital act, it must remain open to new life. Only a sexual act which is suited to procreation will

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[64] LCL, p. 570. Also see Finnis, 'Natural Law and Unnatural Acts' p. 383.
[65] See Lawler, Boyle, and May, *Catholic Sexual Ethics*, p. 302, footnote 60. Also see Grisez, 'A New Formulation of a Natural Law Argument Against Contraception', p. 358; and Finnis, *Aquinas*, p. 150.
[66] LCL, p. 570. Also see LCL, p. 618 and Finnis, *Aquinas*, p. 150.
[67] LCL, p. 634.

actualise their one-flesh unity. Failure to realize the one-flesh unity, for example by the use of contraception, means that the act is unable to foster and express the couple's marital communion. Grisez continues:

> The marital act's character as willing and loving cooperation can be called its 'unitive meaning', and its suitability for generation can be called its 'procreative meaning'. Using this terminology, the point is that the unitive meaning of marital intercourse includes its procreative meaning and is specified by it, just as the single good of marriage includes and is fulfilled by having and raising children. Thus, because the marital act's procreative meaning is part of its unitive meaning, the two meanings are inseparable, for a whole cannot be without its parts.[68]

Here, the School offers a defence of the inseparable connection argument which is completely different to any they proposed prior to *Living a Christian Life*.[69] Indeed, in their 1988 article, they claim that the only reasonable justification for the inseparability of the ends is that it is wrong to violate either of them.[70] However, in the above paragraph from *Living a Christian Life*, Grisez appears to defend the inseparability of the two meanings on the basis of their mutual dependency, particularly the specification of the unitive meaning by the procreative meaning. He therefore appears to reach a similar conclusion to John Paul II. Yet, later in the same section of *Living a Christian Life*, Grisez also uses an argument reminiscent of that proposed in the 1988 article. He states, 'a married couple's sexual act can fail in either of two ways to be a marital act.' It is either non-marital if at least one partner does not cooperate willingly and lovingly in the act, or if either or both partners do 'anything inconsistent with their act's being of itself suited to procreating'.[71] This suggests something quite different to the mutual dependency of the two meanings.

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[68] LCL, p. 635.

[69] Although Finnis did hint at a similar argument for the inseparable connection in 'Natural Law and Unnatural Acts', p. 387.

[70] Grisez and others, *The Teaching of Humanae Vitae*, pp. 94-97. See also Joseph Boyle, 'Human Action, Natural Rhythms and Contraception: A Response to Noonan', *The American Journal of Jurisprudence*, 26 (1981), 32-46 (pp. 40-41); May, *Contraception: Humanae Vitae and Catholic Moral Thought*, pp. 22ff; Lawler, Boyle and May, *Catholic Sexual Ethics*, pp. 28-9; Finnis, 'Natural Law and Unnatural Acts', p. 387.

[71] LCL, p. 636. Also see John Finnis, 'Personal Integrity, Sexual Morality and Responsible Parenthood', in *Why Humanae Vitae was Right: A Reader*, ed. by Janet E. Smith (San Francisco: Ignatius Press, 1993), pp. 173-191 (p. 188).

While there appears to be a certain amount of ambiguity about the School's defence of the inseparable connection, what is clear is that if the sexual act is to be a chaste marital act then it must be open to procreation. Any use of contraception prevents the sexual act from being a chaste marital act and therefore involves a hostile intention against the good of marriage.

Yet the School's insistence that sexual acts can only be chaste marital acts if they are open to procreation does not lead them to suggest that the sexual act should only be performed in the naturally fertile periods of the woman's menstrual cycle. Instead, they argue that the cycle of the fertile and infertile periods is a natural given which is outside human control. Thus, the physiological conditions which preclude conception in certain parts of the cycle 'are not part of the human act of intercourse, for they are neither included in the couple's behavior nor subject to their choice'.[72] Therefore, being open to procreation is not dependent upon the capacity of the sexual act to cause conception, but upon 'its being the pattern of behavior which, in conjunction with other necessary conditions, would result in conception'.[73]

The School therefore appears to be suggesting that the structure of the sexual act must be suited to procreation even if the couple know that conception is impossible. The sexual act will be a marital act provided the couple do what is suited to cause conception when the other necessary causal factors are given. They state, 'ejaculation by the male in the female's vagina is necessary for sexual intercourse insofar as it is a reproductive function, and so ejaculation is necessary for a complete act of marital intercourse.'[74] Hence, sexual acts, whether they are performed in fertile periods of the cycle or not, can only serve the good of marriage if the male ejaculates in the female's vagina. Therefore, while the School argues that there are various sexual acts short of intercourse which can be chaste if they are either helpful to marital intercourse or express marital love, 'any act of the wife or the husband intended to

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[72] LCL, p. 634.
[73] LCL, p. 634.
[74] LCL, p. 641. Also see William E. May, *Marriage: The Rock on which the Family is Built* (San Francisco: Ignatius Press, 1995), chapter 2.

bring about his ejaculation outside her vagina cannot be ordered directly to marital intercourse, and so is not a marital act.'[75]

This means that those who are temporarily or permanently infertile due to reasons beyond their control can still perform marital acts. For, 'provided the couple willingly and lovingly do what is suited to cause conception when the other necessary causal factors are given', their sexual acts will remain open to new life.[76] Hence, even the couple who know that those factors will never be given, can perform marital acts provided that they 'do not intend to impede conception and their performance is such that conception would result if the physiological conditions were conducive to it'.[77]

However, according to the Grisez School, even when a couple does not *intend* to impede conception, any sexual act which is not structurally suited to procreation fails to be marital. In this regard, Grisez cites the example of a husband who uses a condom in order to prevent the transmission of a disease, or a wife who intentionally stimulates her husband to orgasm because the couple are incapable of intercourse.[78] Of such actions he states, 'inasmuch as a sexual act involving complete satisfaction is not marital intercourse, it is wrong.'[79]

Therefore, according to the Grisez School, 'true marital acts' must be 'a loving co-operation' and 'open to new life'.[80] For the marital act to be open to new life it must fulfil two basic conditions. Firstly, the couple must not intend to impede conception, and secondly, the act must be structurally suited to procreation.[81] When a couple uses contraception, neither of these basic conditions are met. Hence, their sexual acts are not true marital acts and they have a hostile intention against the good of marriage.

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[75] LCL, p. 642.
[76] LCL, p. 636.
[77] LCL, p. 645.
[78] LCL, p. 646.
[79] LCL, p. 646.
[80] LCL, p. 645.
[81] LCL, p. 645.

4.3.iv Therefore, contraception is wrong

Inasmuch as contraception prevents the sexual act from being open to new life, and so from being a chaste marital act, it involves a hostile intention against the good of marriage and hence the Grisez School considers its use to be morally wrong. Indeed, the School argues that contracepted sexual acts only have the appearance and not the reality of a marital act. In reality such acts are akin to masturbation. This is the point of Finnis' thought experiment in which he explores the difference between appearance and reality. He argues, 'whatever may be the appearance to the couple or to the observer, contracepted sexual intercourse is simulated, not real, conjugal intercourse.'[82] Or, as May puts it, a man who uses a condom, 'is, in effect, masturbating into a condom that is inserted into the person of the other.'[83]

As non-marital acts, these sexual acts violate the good of marriage. That is, they do not allow the couple to experience or actualize their marriage. Grisez states, 'by carrying out an intention to impede procreation, spouses who contracept mutilate their sexual intercourse so that it is not truly marital. Thus, contraception within marriage is not only contralife, as it is even for the unmarried, but contrary to marital love.'[84] Therefore, the only sexual acts which are conducive to serving the good of marriage are those in which the couple 'are really "one flesh" and have the unity which is the essence of marriage, a unity of minds and emotions and bodies in an act which has the unique oneness of a reproductive type of act'.[85]

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[82] Finnis, 'Personal Integrity, Sexual Morality and Responsible Parenthood', p. 180.
[83] May, *Contraception: Humanae Vitae and Catholic Moral Thought*, p. 32.
[84] LCL, p. 685.
[85] Finnis, *Aquinas*, p. 150.

4.4 A Critical Analysis of the Contralife Argument

Having examined both the contralife and the contramarital arguments, we will now proceed to offer a critical analysis of the former and then of the latter. As before, our analysis will proceed by examining the argument premise by premise. Earlier, we suggested that the logic of the contralife argument runs as follows:

i. Life is a basic good.

ii. It is wrong to have a hostile intention against a basic good.

iii. Contraception involves a hostile intention against the basic good of life.

iv. Therefore, contraception is wrong.

We will begin by allowing the first two premises. Then, in response to the third premise, we will ask whether contraception necessarily involves a hostile intention against the basic good of life. We will suggest that the use of contraception does not always involve such an intention. If, however, contraception *can* be shown to involve a hostile intention in the sense that Grisez alleges, we will then want to ask whether it is always wrong to have such an intention. That is, we will then also wish to raise objections to the second premise.

4.4.i Life is a basic good

While we will grant this first premise, it presupposes many of the basic assumptions of the Grisez School's new natural law theory, some of which we might wish to question. For example, do we accept the School's list of basic goods, or the epistemological proposal that these basic goods are self-evidently known to all people? The School's critics have outlined the various difficulties with some of the theory's basic assumptions.[86] However, while we

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[86] For example, see Ralph McInerny, 'The Principles of Natural Law', *The American Journal of Jurisprudence*, 25 (1980), 1-15; Russell Hittinger, *A Critique of the New Natural Law Theory* (Notre Dame: University of Notre Dame Press, 1987); Jean Porter, *The Recovery of Virtue: The Relevance of Aquinas for Christian Ethics* (Louisville, KY: Westminister/John Knox Press, 1990); Henry Veatch, 'Natural Law and the "Is" - "Ought" Question: Queries to Finnis and Grisez' in *Natural Law*, ed. by John Finnis, 2 vols (Aldershot: Dartmouth, 1991),

acknowledge that such problems exist, we will grant this first premise because it is possible to imagine that life might provide a basic reason for action in certain situations. For example, we can imagine different contexts in which our actions might be prompted by a desire to save or protect life. So, if we saw a person drowning, we might rush to their aid. Such examples suggest how life might function as a basic reason for action which needs no further explanation.

4.4.ii It is wrong to have a hostile intention against a basic good

The second premise also raises certain questions about the basic assumptions of the Grisez School's new natural law theory. Nigel Biggar identifies one such problem which it may be helpful to mention briefly. He considers that there is a lack of clarity in the School's definition of hostility. Developing Chappell's suggestion that there is a certain ambiguity in the seventh mode of responsibility ('one should not be moved by hostility to freely accept or choose the destruction, damaging, or impeding of any intelligible human good'), Biggar states that he is inclined to locate the ambiguity 'in whether or not the principle acknowledges that the deliberate acceptance or choice to destroy etc. could be motivated by something other than "hostility"'.[87] He continues that while the principle could be read to imply such an acknowledgment, his 'impression is that when Grisez and his colleagues apply it, they assume that any deliberate harm or hindrance of a good must be malevolent'.[88] Our reading of the contralife argument would tend to suggest that Biggar's impression is correct.

I, pp. 293-311; Anthony Lissaka, *Aquinas's Theory of Natural Law: An Analytic Reconstruction* (Oxford: Clarendon Press, 1996); *The Revival of Natural Law: Philosophical, Theological, and Ethical Responses to the Finnis-Grisez School*, ed. by Nigel Biggar and Rufus Black (Aldershot: Ashgate, 2000). For a defence of the School's theory against some of these criticisms see Robert P. George, 'Natural Law and Human Nature', in *Natural Law Theory*, ed. by Robert P. George, (Oxford: Clarendon Press, 1992), pp. 31-41.

[87] Nigel Biggar, 'Conclusion', in *The Revival of Natural Law: Philosophical, Theological, and Ethical Responses to the Finnis-Grisez School*, ed. by Nigel Biggar and Rufus Black (Aldershot: Ashgate, 2000), pp. 283-294 (p. 288)

[88] Biggar, 'Conclusion', p. 288.

However, Biggar goes on to question whether deliberate harm should necessarily be identified with a hostile intention. He suggests that it is 'possible to choose deliberately to harm something while "honouring" it'.[89] To support this claim, he cites Northcott's example of the ritual killing of animals by primal peoples.[90] These rituals express 'a sense of reverence for life and a recognition that the taking of it is always a weighty issue'.[91] If it is possible to harm a good without a hostile intention, the School may be mistaken in proposing that acting against a basic good is always motivated by hostility. At times, however, it is clear that people do act against life with a hostile intention. With the Grisez School we would want to say that such an intention is wrong. For this reason, we will currently grant this premise and proceed to examine the third premise.

4.4.iii Contraception involves a hostile intention against the basic good of life

Earlier, we saw how the Grisez School describes the will of a couple who use contraception:

> They imagine that a new person will come to be if that is not prevented, they want that possible person not to be, and they effectively will that he or she never be. That will is a contralife will. Therefore, each and every contraceptive act is necessarily contralife. [92]

Two Roman Catholic critics of the contralife argument suggest that it fails because it locates the immorality of the action in the intention of the agent as opposed to the nature of the act. Both Janet Smith, who defends a position which appears to combine a neo-scholastic approach with the personalism of John Paul II, and the proportionalist Edward Vacek, criticise the School for locating the evil of contraception in the will, rather than in the act.[93]

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[89] Biggar, 'Conclusion', p. 288.
[90] See Michael Northcott, 'The Moral Standing of Nature and the New Natural Law', in *The Revival of Natural Law: Philosophical, Theological, and Ethical Responses to the Finnis-Grisez School*, ed. by Nigel Biggar and Rufus Black (Aldershot: Ashgate, 2000), pp. 262-281 (p. 277).
[91] Biggar, 'Conclusion', p. 288.
[92] Grisez and others, *The Teaching of Humanae Vitae*, p. 43. Also see, LCL, p. 509.
[93] See Smith, *Humanae Vitae: A Generation Later*, pp. 340-70, and Edward Vacek, 'Contraception Again - A Conclusion in Search of Convincing Arguments: One Proportionalist's (Mis?)Understanding of a Text', in *Natural Law and Moral Inquiry: Ethics,*

While we too may have concerns about the role of the will in Grisez's moral framework, their objections are of limited importance to us. Indeed, Smith's pre-occupation is with how the School has strayed from the Roman Catholic tradition,[94] while Vacek appears to make some interpretative mistakes. For example, at one point Vacek argues that Grisez 'comes close to practicing a form of constructivism, at least in the moral sphere: acts are whatever we intend them to be.'[95] Quite rightly, Grisez and Boyle reply that Vacek's philosophical objections 'seldom are so precisely to the point and within the framework of our principles and methods as to trouble us much'.[96]

Therefore, a stronger argument with this third premise will be made from within the Grisez School's moral framework. However, we should begin by dealing with a semantic difficulty which might otherwise distract us from the crucial problem. According to the School, to use contraception is to 'reject' a new life which a couple has 'imagined' and 'projected'. This 'imagining' of the possible new person has come in for strong criticism. For example, Vacek states, 'Grisez seems to picture contraceptors as sadists who dream of the person they are going to make sure will not come into existence.'[97] The School's use of such emotive language is indeed unfortunate because it potentially confuses the emotion of the couple with their volition. Grisez has since admitted that such language is misleading and has offered an alternative description of the contralife will: 'contraceptors necessarily foresee that a baby might come to be, they want that foreseen baby not to come to be, and they choose to do something in order to make it less likely that he or she will be.'[98] It is therefore important

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Metaphysics, and Politics in the Work of Germain Grisez, ed. by Robert P. George (Washington, D.C.: Georgetown University Press, 1998), pp. 50-81.

[94] See Smith, *Humanae Vitae: A Generation Later*, p. 341.

[95] Vacek, p. 56.

[96] Germain Grisez and Joseph Boyle, Jr., 'Response to our Critics and our Collaborators', in *Natural Law and Moral Inquiry: Ethics, Metaphysics, and Politics in the Work of Germain Grisez*, ed. by Robert P. George (Washington, D.C.: Georgetown University Press, 1998), pp. 213-237 (p. 229).

[97] Vacek, p. 61. Also see Smith, *Humanae Vitae: A Generation Later*, pp. 361ff.

[98] Grisez and Boyle, 'Response to our Critics and our Collaborators', p. 231.

to keep in mind that the notion of the contralife *will* is exactly that, it is a description of the couple's volition rather than their emotion.

From here, the crucial question is whether the School is correct to propose that the use of contraception necessarily involves a hostile intention against the basic good of life. Several critics have suggested that it is possible to demonstrate that contraception can be used without a contralife will. One such argument is made by Dave Leal. Leal begins by suggesting that the 'intriguing claim' that contraception prevents a *particular* life must be taken seriously. For, 'though there is no specifiable human individual whose life is attacked by contraceptive practice, it makes no sense to discuss contraceptive practice without acknowledging that the lives prevented must be *particular* lives (albeit, because prevented, not the lives of particular nameable human individuals).'[99]

Leal then cites the example of a couple who discover that their contraceptive practice has failed. According to Grisez, the baby has come to be contrary to her parents' intentions and so is 'unwanted'. Furthermore, Grisez maintains that if such a couple decide to accept and love the baby this will entail a change of intention. In contrast, Leal suggests that the couple do not have to change their intention in order to keep the baby. Indeed, they may have recognised the possibility of contraceptive failure in advance and may have accepted that pregnancy might result. But, Leal states, even this degree of consciousness is not required. Instead, 'what *is* required is the distinction drawn between "the conception" which they are trying to prevent, and "the conception" which has actually occurred.'[100] Thus, Leal continues, it is possible to have 'an intention to prevent any conception except that which actually occurs!'.[101] In other words, the couple hope that their sexual intercourse will not result in conception, whilst accepting that conception is a possibility.

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[99] Dave Leal, 'Respect for Life in Germain Grisez's Moral Theology', in *The Revival of Natural Law: Philosophical, Theological, and Ethical Responses to the Finnis-Grisez School*, ed. by Nigel Biggar and Rufus Black (Aldershot: Ashgate, 2000), pp. 203-222 (p. 213).
[100] Leal, p. 213.
[101] Leal, p. 214.

Such an argument certainly appears plausible. Obviously, as Grisez notes, there may be couples who decide that their wish not to have a baby is such that if contraception fails, they will resort to an abortion. We can accept that for these couples, their will against the prospective life is continuous with their will against the actual life.[102] However, is it not also possible that some couples may decide to use contraception and, at the same time, decide to accept any conception which may arise from contraceptive failure? For such couples, they too have a continuous will, but they have a continuous will in favour of the particular child that is conceived. They do not have to change their intention in order to welcome the conceived child. We can say, therefore, that the child does not begin life as unwanted and suffers no injustice.

Vacek also advocates a similar argument against Grisez. To highlight the possibility of accepting a child which is conceived while using contraception, Vacek likens the situation to choosing to accept a handicapped child. He argues that nobody would wish to conceive a handicapped child, but many people are ready to welcome a handicapped child who is conceived. As the handicapped child does not necessarily begin life unwanted, neither does the child who is conceived through contraceptive failure, for there is no change of intention towards her.[103]

However, the Grisez School anticipated and responded to this kind of argument in their 1988 article. In this article, the School proposes that the will of a couple who decide to accept the baby who has been conceived as a result of contraceptive failure is not *as* contralife as the will of a couple who decide to abort the baby. However, the couple who decide to accept the baby 'still want the possible baby whose life they seek to prevent not to begin to be. If a conception occurs, they may keep their good resolution, accept the baby, and not even consider aborting it. But the baby who came to be by accident still would begin life precisely as an *unwanted* person.'[104] So, while the Grisez School is prepared to admit that the contralife will can vary in degrees, they cannot accept that a decision to welcome a child who

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[102] See LCL, p. 513.
[103] Vacek, p. 66.
[104] Grisez and others, *The Teaching of Humanae Vitae*, p. 63.

is the result of a contraceptive failure does not involve a change of intention. They define contraception in terms of a hostile intention against the basic good of life, therefore making it impossible for any child conceived as a result of contraceptive failure not to begin life as an unwanted person.

However, Leal continues to develop his argument by comparing the intention of a couple who use contraception while accepting that conception is a possibility, with the intention of a couple practicing NFP. Leal suggests that the situation of the former couple is the 'practical situation' of the NFP couple. He states that the intention of the NFP couple, 'at least for the present, is to engage in sexual intercourse and yet do so in such a way as to minimise the likelihood of pregnancy, and yet they will surely be expected to embrace any pregnancy which comes.'[105] However, Grisez argues that the situation of an NFP couple who find that pregnancy has unexpectedly occurred is entirely different from the equivalent situation of a couple using contraception. He states that while the NFP couple may be emotionally upset to discover that they are having a baby for whom they were not planning, the baby will not be unwanted in the moral sense since her coming to be is not contrary to her parents' volition. Indeed, Grisez states that such a couple would be able to truthfully say, 'although we were practicing periodic abstinence because we thought we should not have a baby just now, we are glad we are going to have a baby, for we really wanted it.'[106]

This appears to be an odd description of the intention in NFP. In relation to a slightly different concern, Nigel Biggar notes that the School's assumptions about hostile intentions mean that they 'offer some rather disingenuous - or at least incomplete - action-descriptions'.[107]

This criticism seems highly applicable to this description of the intention in NFP. Of which NFP couple is it true to say that they really want to have a child, while simultaneously trying to minimise the possibility of conception? How can a couple want a child who they are taking steps to prevent? Would it not be more accurate to describe the intention in NFP in similar terms to that involved when contraception is used with a willingness to accept any

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[105] Leal, p. 214.
[106] LCL, pp. 511-512.
[107] Biggar, 'Conclusion', p. 288.

conception which actually occurs? Then we might say that both couples, either by means of contraception or NFP, plan not to have a child, but both do so with full awareness of the possibility that a child may be conceived. If such couples are ready to accept the conception which may occur, then neither makes a choice contrary to the particular instance of the good of life, or needs to change their intention towards the child in order to welcome him.

Leal has shown that it may be possible to use contraception without a contralife will. Other critics also concur with his analysis of the contralife will. For example, Janet Smith argues that the most challenging counter-example to the Grisez School's contralife argument would be that of 'contraceptors who truly want another child and would welcome a child but who for some reason decide that it would not be good to have another child at a certain time'.[108]

She cites the example of women in China who use contraception because they would be forced to have an abortion if they had a second child. She suggests that many of these women do not necessarily intend against the life of the possible child when they use contraception; rather, they intend against the death of that possible child through forced abortion.

So far, our analysis of this premise has suggested that contraception does not necessarily involve a hostile intention against the basic good of life. However, what if it could be shown that the use of contraception does involve a contralife will in the sense that Grisez alleges? After all, it must be admitted that while not all couples use contraception with a hostile intention against the basic good of life, there may be some couples who do. Not all couples are well disposed towards procreation when they are using contraception. Certainly, it is difficult to imagine that a couple using contraception are as well disposed towards having children as the couple who are investing thousands of pounds in infertility treatment. The contracepting couple may claim that they are open to having children in the future, but it can hardly be disputed that in that particular moment, they do not have the same disposition towards procreation as the infertile couple.

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[108] Smith, *Humanae Vitae: A Generation Later*, pp. 363-4.

The Grisez School rules out the possibility that some couples use contraception with a hostile intention against the good of life while others do not. To accept such a possibility would mean granting that there can be a spectrum of approaches to the use of contraception, something which the Grisez School does not allow for. Instead, the School insists that the use of contraception always involves a hostile intention against the basic good of life. As we have seen, they do allow that the contralife will can vary in degrees, but a choice to use contraception always involves the contralife will to some extent. So, Nigel Biggar states, 'Grisez tends to identify the deliberate choice to impede procreation with hostility to children in general or to any child that dares to be born in spite of the contraceptive measures taken.'[109]

He continues, 'Leal rightly affirms the possibility of a wider range of more complex motives - in particular that it is quite possible to choose not to have children for a certain period, but *at the same time* to be ready to love any child that should be conceived against one's will.'[110]

Here we have identified one of the most crucial difficulties with the Grisez School's theory: it does not allow for sufficient discriminations within its moral categories. Indeed, it seems that the Grisez School's theory may lack the sophistication needed to deal with the complex and diverse fabric of the moral world. According to the School, people who use contraception appear to be limited to one moral category within which its use is always motivated by a contralife will. However, as we have tried to suggest, the structure of the moral world is more complex than this; there are those who use contraception with a hostile intention and those who do not. The School's failure to differentiate between the various intentions with which contraception is used may be indicative of the fact that they lack sufficient discriminations within their moral categories to deal with the complexity of life. Such is this complexity that, as we have seen, while some uses of contraception will involve a hostile intention against the basic good of life, this is not true in all cases.

We have therefore suggested that this third premise may be dubious and that contraception does not necessarily involve a hostile intention against the basic good of life.

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[109] Biggar, 'Conclusion', p. 288.
[110] Biggar, 'Conclusion', p. 288.

However, we have also allowed that there may be cases in which contraception does involve such an intention. Therefore, we might ask whether it is always wrong to have a hostile intention against a basic good. That is, we might return to question the second premise of the contralife argument which asserts that it is always wrong to have a hostile intention against a basic good.

Earlier, we noted the seventh and eighth modes of responsibility.[111] The crucial difference between them appears to be that which 'moves' or motivates the choice to 'destroy, damage, or impede' a basic good. In the seventh mode, the motivation is hostility, and in the eighth it is a stronger desire for one of the basic goods above the others. We should be careful not to assume that the implication of the eighth mode is that it is possible to use contraception without a hostile will. As we have seen, while the School admits that there can be varying degrees of contralife will, they do not allow that contraception can be used without it, even when the use of contraception is motivated by a stronger desire for another basic good.[112]

We also noted earlier how Biggar questions whether the deliberate harm or hindrance of a basic good must always be malevolent.[113] He suggests that the Grisez School assumes this to be the case, but he considers this assumption to be mistaken because it is possible to choose to deliberately harm something while 'honouring' it.[114] This is certainly one of the objections which we might wish to raise in relation to the assumption that any deliberate action against a basic good necessarily involves a hostile intention. However, given that we have allowed that contraception may sometimes be used with a hostile intention, we also want to go further and ask whether such an intention is always wrong. To do this, we will question a concept on which the second premise depends: the incommensurability of the goods.

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[111] See pp. 109-110.
[112] See pp. 129-130.
[113] See pp. 125-6.
[114] Biggar, 'Conclusion', p. 288.

The underlying principle of the two modes of responsibility which prohibit choosing against any of the basic goods is also found in the School's claim that the basic goods are incommensurable.[115] According to the School, the goods may be many, but they are all primary. One good cannot be spurned for the sake of another because there is no reasonable method which can be employed to judge between the goods; indeed, 'if there were a single standard to which they could be compared, *it* rather than they would be really primary. To try to arbitrate among first principles without any standard, moreover, is simply to be arbitrary.'[116]

This rules out the possibility of choosing against one basic good, or one instance of a particular good, in order to choose in favour of another, for the only reasonable course is to remain open to all the goods. Hence, this rules out the possibility of using contraception in order to choose in favour of another basic good, as in the case of couples who may, for example, be deferring having children until they have completed their education or established their vocations.

In all such cases, the School argues that choosing to sacrifice one good for the sake of another is illicit. We might respond by asking whether it is accurate to describe this couple's actions as 'sacrificing' the basic good of life for the goods of knowledge and work. After all, if they are not permanently closing themselves to the possibility of having children, it may be more truthful to say that they are *deferring* the active pursuit of the basic good of life while they act in favour of these other goods. Hence, Lisa Sowle Cahill asks, 'why is contraception (especially within an otherwise procreative marriage) genuinely an act "against" the good of procreation, rather than a deferment of it to a more appropriate time?'[117]

However, critics have also suggested that the incommensurability of the basic goods depends on other questionable assumptions. Indeed, Biggar states that the claim that 'all of the basic goods are of equal value, and that no human agent should choose to harm any good, even if he supposes that another good might be served thereby' is 'arguably the most

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[115] See p. 60.
[116] Grisez, *Contraception and the Natural Law*, p. 111.
[117] Lisa Sowle Cahill 'Catholic Sexual Ethics and the Dignity of the Person: A Double Message, *Theological Studies*, 50 (1989), 120-150 (p. 136).

controversial aspect of Grisez's system'.[118] Biggar continues, 'this makes Grisez an implacable foe of what is currently the most popular form of moral reasoning - namely, consequentialism; and it sometimes leads him to espouse moral positions that seem principled to the point of callousness.'[119]

Jean Porter discusses some of the objections which proportionalists make in response to the School's claim that the basic goods are incommensurable.[120] She states that the proportionalists 'emphatically do not agree that no action that involves a direct attack on a basic good can be moral. This claim, they contend, reflects an arbitrary absolutizing of finite human goods.'[121] Porter does not consider that all of the criticisms made by the proportionalists are valid, but she does state that 'it is hardly self-evident that we can never act against the basic goods, even to prevent an even greater destruction of these goods'.[122]

Other scholars, sometimes described as neo-scholastics, have also objected to the School's claim that the goods are incommensurable because this denies that there can be an objective hierarchy among basic values.[123] This is a key concern raised by Russell Hittinger, which he discusses primarily in relation to the place which religion occupies within the basic goods.[124] However, the Grisez School rejects the idea that there can be any such objective hierarchy among the basic goods. George states that this is because 'they suspect that any claim that such a hierarchy exists supposes the false thesis about commensurability that

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[118] Nigel Biggar, 'Review of *Living a Christian Life*', *Studies in Christian Ethics*, 8 (1995), 105-118 (p. 108).
[119] Ibid.
[120] Jean Porter, *The Recovery of Virtue: The Relevance of Aquinas for Christian Ethics* (London: SPCK, 1994), pp. 19-21
[121] Porter, pp. 19-20.
[122] Porter, p. 21.
[123] See Ralph McInerny, 'The Principles of Natural Law', *The American Journal of Jurisprudence*, 25 (1980), 1-15 (pp. 14-15).
[124] See Russell Hittinger, *A Critique of the New Natural Law Theory* (Notre Dame: University of Notre Dame Press, 1987). Also see Robert P. George, 'Recent Criticism of Natural Law Theory', in *Natural Law*, ed. by John Finnis, 2 vols (Aldershot: Dartmouth, 1991), I, pp. 353-411.

renders consequentialism untenable. It supposes, that is, that some goods have "more" good in them than others.'[125]

Our point here is not to give a thorough and decisive argument against the incommensurability of the basic goods, but to highlight the fact that it is a substantive moral claim which various critics have suggested depends on questionable assumptions. This is not to say that we would wish to endorse all the different lines of criticism. Instead, we simply wish to note the questionable nature of the School's claim that it is always wrong to have a hostile intention against a basic good, and so to highlight the dubious nature of the second premise.

4.4.iv Therefore, contraception is wrong

To summarize, we have proposed that contraception does not necessarily involve a hostile intention against the basic good of life. The moral world, we suggested, is more complex than the Grisez School allows for. In such a world, couples who use contraception cannot be treated as if they all inhabit the same moral category. Instead, some couples may use contraception with a hostile intention against the basic good of life, whereas, others may not. However, we also allowed that the use of contraception may involve the kind of hostile intention against life that Grisez alleges. Therefore, having questioned the third premise, we returned to the second premise and asked whether having a hostile intention against a basic good is always wrong. We suggested that the School's concept of the incommensurability of the goods, on which the second premise depends, is questionable.

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[125] George, 'Recent Criticism of Natural Law Theory', p. 378.

4.5 A Critical Analysis of the Contramarital Argument

While the School proposes that the contralife argument can be applied to all uses of contraception, the contramarital argument is specifically concerned with the use of contraception in relation to the good of marriage. Earlier, we noted how it has largely been developed in response to John Paul II's teaching. We suggested that the logic of the contramarital argument runs as follows:

i. Marriage is a basic good.

ii. It is wrong to have a hostile intention against a basic good.

iii. Contraception involves a hostile intention against the basic good of marriage.

iv. Therefore, contraception is wrong.

Essentially, our objection to the contramarital argument will be the same as that we proposed in response to the contralife argument. In what follows, our previous objections will therefore be assumed, rather than extensively repeated. We will suggest that contraception does not involve a hostile intention against the basic good of marriage but, even if it does, this may not always be wrong. In making this argument, we will also compare and contrast the contramarital argument with John Paul II's personalist approach to contraception.

4.5.i. Marriage is a basic good

This premise, like the first premise of the contralife argument, is based on the basic assumptions of the Grisez School's new natural law theory. While we might wish to raise various questions about some of these basic assumptions, here we will focus on the question of whether or not marriage is a basic good. As we have already seen, marriage was added to the list of the seven basic goods in *Living a Christian Life*.[126] Nigel Biggar notes that objections about this addition are recurrent in the collection of essays he edited with Rufus Black.[127] For example, Sabina Alkire's survey of seven sets of basic human values highlights

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[126] See p. 116.

[127] Biggar, 'Conclusion', pp. 285-6.

that no other author presents marriage as a basic human good.[128] Furthermore, both Alkire and Chappell suggest that marriage is reducible to other human goods. Actions may not be able to be explained beyond the good of friendship or knowledge, but 'we do not complete any action-explanation by saying that the action to be explained is aimed *at marriage*'.[129] Thus, we might enquire about why marriage is a good thing, but we would not find a reason for it being so beyond its instantiation of the other basic goods. In addition, Chappell asks why marriage, a supposedly self-evident good, has not been found in all the different forms of human society. Furthermore, where it has been found, which of the different cultural conceptions of marriage is *the* basic good?[130]

Both Biggar and Cahill also ask why marriage should be considered as a necessary component of human flourishing in the way that we might consider the other goods.[131] Cahill comments that while no human life could be called genuinely complete without some share in each of the seven original goods, marriage is not essential to a happy and virtuous life. She continues, 'experientially and morally, it is not immediately clear that the marriage relation is in the same category as the other seven goods; or that, if it is, other roles and relations, such as parenthood, priesthood, or political office ought not to be in the group too.'[132]

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[128] Sabina Alkire, 'The Basic Dimensions of Human Flourishing: A Comparison of Accounts', in *The Revival of Natural Law: Philosophical, Theological, and Ethical Responses to the Finnis-Grisez School*, ed. by Nigel Biggar and Rufus Black (Aldershot: Ashgate, 2000), pp. 73-110 (pp. 92-3).
[129] Timothy Chappell, 'Natural Law Revived: Natural Law Theory and Contemporary Moral Philosophy', in *The Revival of Natural Law: Philosophical, Theological, and Ethical Responses to the Finnis-Grisez School*, ed. by Nigel Biggar and Rufus Black (Aldershot: Ashgate, 2000), pp. 29-52 (p. 38).
[130] Chapell, p. 39.
[131] See Nigel Biggar, 'Karl Barth and Germain Grisez on the Human Good: An Ecumenical *Rapprochement*', in *The Revival of Natural Law: Philosophical, Theological, and Ethical Responses to the Finnis-Grisez School*, ed. by Nigel Biggar and Rufus Black (Aldershot: Ashgate, 2000), pp. 164-183 (p. 174), and Lisa Sowle Cahill, 'Grisez on Sex and Gender: A Feminist Theological Perspective, in *The Revival of Natural Law: Philosophical, Theological, and Ethical Responses to the Finnis-Grisez School*, ed. by Nigel Biggar and Rufus Black (Aldershot: Ashgate, 2000), pp. 242-261 (p. 246).
[132] Cahill, 'Grisez on Sex and Gender', p. 246.

Given these objections, the Grisez School's decision to include marriage within the list of basic goods appears rather dubious. However, we will grant this premise on the basis that the Christian tradition has always recognised marriage as a human good which is comprised of the good of procreation and the good of the marital communion. The crucial question for us is how the good of procreation is integrated within the good of the marital communion.

4.5.ii. It is wrong to have a hostile intention against a basic good

We raised certain questions about this premise in our analysis of the contralife argument. As we did then, so we will now grant this premise for the sake of argument and move on to consider the third premise.

4.5.iii. Contraception involves a hostile intention against the basic good of marriage

As we saw earlier, according to the Grisez School, a sexual act must involve both loving co-operation and openness to new life in order to be a true marital act. We also saw how openness to new life is dependent upon both the intention of the couple not to impede conception and the structural suitability of the act for procreation. Indeed, the sexual act will be a marital act provided the couple do what is suited to cause conception when the other necessary causal factors are given. Any use of contraception which prevents the sexual act from being open to procreation therefore prevents it from being a chaste marital act. Consequently, the use of contraception involves a hostile intention against the good of marriage.

In tackling this premise, the key question to keep in mind is how the good of procreation is integrated within the good of marriage. Essentially, our objection will be the same as that we made in response to John Paul II's argument; hence, in what follows we will also assume, rather than repeat, much of our analysis of John Paul II. We will suggest that acting in favour of the basic good of marriage is not dependent upon the openness of every

individual sexual act to procreation, but upon the openness of the marriage as a whole.[133] If this is the case, then it is possible to suggest that contraception does not necessarily involve a hostile intention against the good of marriage.

However, before we pursue this line of argument, it may be helpful to distinguish John Paul II's argument from the contramarital argument at a couple of points and, in the process, highlight a number of difficulties with the School's position. Cahill comments that by making procreation and child-rearing so intrinsic to the good of marriage, the Grisez School places 'what otherwise might be considered subsidiary goods [...] on the same footing as the basic good of marriage'.[134] In this way, she considers that Grisez makes procreation the primary meaning of both marriage and the marital act. Hence, she states that Grisez 'reverts from the themes guiding the teaching of John Paul II to those of Pius XI and Pius XII'.[135] That is, the Grisez School has reverted from a more personalist understanding marriage in terms of the value of love, to the themes of *Casti Connubii* in which the procreative end is primary.

In some senses, Cahill's comment is unfair. The School does not consider that marriage can be reduced to parenthood. Indeed, procreation is not primary in terms of value but in terms of definition. While we might wish to question this claim, we would certainly agree that the potential for parenthood is one of the characteristics which specifies the marital community and distinguishes it from other forms of friendship. Indeed, as we mentioned above, the good of procreation has always been recognised within the Christian tradition as one of the goods of marriage. Thus, we can accept that a couple's potential for parenthood is one of the defining goods of marriage.

However, where Cahill's comments are not necessarily unfair is in her perception that the Grisez School has failed to appreciate the personalist developments of *Humanae Vitae*

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[133] As with our critique of John Paul II, our analysis of the contramarital argument draws on the work of Paul Ramsey, which we will be examining in the next chapter.
[134] Cahill, 'Grisez on Sex and Gender', p. 247.
[135] Cahill, 'Grisez on Sex and Gender', p. 249.

made by John Paul II. Earlier we noted the ambiguity in the School's defence of the inseparable connection.[136] There is a sense in which the School does not integrate procreation with the loving meaning of marriage to the same extent that John Paul II does. Certainly, it is questionable whether the School appreciates the mutual dependency of the two meanings in quite the same way.

The School's failure to appreciate the personalist perspective on marriage may be confirmed by its peculiar understanding of the value of marital intercourse for the fostering of marital love. They argue that 'the requirement that married couples engage in intercourse for the sake of their marital love is very limited'.[137] They suggest that the essential relationship between marital love and marital intercourse only calls for marital acts on three kinds of occasions: consummation, procreation and occasions such as anniversaries.[138] However, if this is the case, then sexual intercourse will rarely be appropriate. Indeed, if the need for sexual intercourse is as limited as the Grisez School appears to think, can they really be said to appreciate the true nature of the sexual life in marriage and the importance of sexual intercourse for the fostering and expression of the marital communion? Here, the Grisez School's position seems to be quite different to that of John Paul II.

The second area in which we should be careful to distinguish John Paul II's argument from the Grisez School's is in relation to the importance given to the physical structure of the sexual act. As we saw in chapter three, John Paul II does not deny the importance of the nature of the act, indeed a person cannot be understood apart from his or her nature. However, he locates the immorality of contraception in terms of the violation of the person, as opposed to the prevention of the natural structure of the act.

In contrast, in our earlier examination of the contramarital argument, we saw how the School argues that sexual acts will only be chaste marital acts if they are suitable to cause conception when all the other necessary factors are given. That is, according to the School,

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[136] See pp. 120-1.
[137] Grisez and others, *The Teaching of Humanae Vitae*, p. 73.
[138] Grisez and others, *The Teaching of Humanae* Vitae, pp. 71-2.

sexual acts can only be described as marital if they are open to procreation, and they will only be open to procreation if the male ejaculates inside the female's vagina. Therefore, their judgment as to whether or not sexual acts are chaste marital acts is made on the basis of the structure of the genital act or, more precisely, on the situation of male ejaculation. Hence we saw how a naturally infertile couple can still perform chaste marital acts if the structure of their acts is such that they would be able to conceive if the other necessary factors were given.

Therefore, it appears that the structure of the sexual act is definitive of openness to new life, whether or not conception is biologically possible. This may seem to be a form of the perverted faculty argument, to which, as we noted in chapter two, Grisez is firmly opposed.[139] In that chapter we saw how the perverted faculty argument proposes that it is wrong to interfere with the natural physical structure of an act in order to prevent it from fulfilling its teleological purpose. We also saw how this argument has been shown to be problematic by Mahoney, and later by Grisez himself. Why is it, then, that the Grisez School, which otherwise emphasises the role of the intention, appears to have given the physical structure of the sexual act an authority which we might not have anticipated?

An explanation for this may lie in Grisez's original work, *Contraception and the Natural Law*. Here, Grisez demonstrates the inadequacy of the perverted faculty argument.[140] However, he also argues that the perverted faculty argument *is* applicable in relation to the sexual faculty. Indeed, he states that it accurately indicates the reason why contraception is wrong. That is, contraception is wrong because it acts against the procreative good which is the natural end of sexual intercourse. Hence, according to Grisez, the procreative good grounds moral obligation, not in the sense that it is an 'operational objective' but in the sense that it is a 'moral ideal'. By making this distinction Grisez attempts to avoid committing the naturalistic fallacy which he considers to be problematic. He claims that the emphasis of his

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[139] See pp. 50-52 and p. 63.
[140] See Grisez, *Contraception and the Natural Law*, chapter 2.

explanation 'is on the procreative good as a principle of practical reasoning, and hence as a moral ideal, rather than merely on the generative power and its natural teleology'.[141]

Although this argument is not set out in the Grisez School's later works, it may be in the background of this third premise, and offer something of an explanation for why they seem to give so much authority to the natural physical structure of the sexual act. Given that Grisez argues that the procreative good is a moral ideal as opposed to an 'operational objective', we cannot criticise him for advocating a conventional form of the perverted faculty argument. Indeed, by arguing that the procreative good is a moral ideal rather than an ontological claim, he is not moving from an 'is' to an 'ought' (procreation *is* the natural end of sexual intercourse, therefore we *ought* not to use contraception), which would be to commit the naturalistic fallacy. Instead, he is moving from an ought to an ought (procreation *ought* to be the end of sexual intercourse, therefore we *ought* not to use contraception). Nevertheless, we might suggest that there is a sense in which Grisez is still advocating a particular form of the perverted faculty argument, according to which the morality of the sexual act is determined by its physical structure. Furthermore, we may also wish to object to his voluntarist claim that the procreative good is in fact a moral ideal. Why is it that sexual intercourse *ought* to be procreative?

We have outlined, therefore, a couple of ways in which we should be careful to distinguish the contramarital argument from John Paul II's argument. In the process, we have also highlighted a number of difficulties with the School's position. Allowing for these difficulties, let us now consider one of the ways in which their argument is rather similar to John Paul II's. So, let us return to their insistence that acting in favour of the basic good of marriage is dependent upon every sexual act being open to procreation.

In a similar move to John Paul II, the Grisez School argues that if sexual acts are to be integrated within the good of marriage, they must always remain open to procreation. Contraception prevents such integration and couples who use it, even within an otherwise

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[141] See Grisez, *Contraception and the Natural Law*, pp. 100-101.

procreative marriage, have a hostile intention against this good. As we suggested in response to John Paul II, it is understandable that in marriage there may be a direct relationship between the fostering and nurture of the marital communion and the openness to realising the potential for parenthood. So, we cited the example of a woman trapped in a loveless marriage who takes measures to prevent pregnancy, not because she does not want to have a child, but because she does not want to have a child with *this particular man*. Similarly, we also suggested that the marital relationship of a couple who decide to have children with other partners may well be detrimentally affected.[142]

However, we may wish to question the School's claim that the integration of sexual acts within the basic good of marriage is dependent upon the openness to procreation of every individual act. For, as we suggested in the previous chapter, this claim presupposes that the significance of a sexual act can be grasped in isolation from the other sexual acts which occur within the marriage, and from the wider context of the marriage relationship itself. However, we went on to propose that it is within the very nature of marriage for sexual acts to have a past and future reference, and that their true meaning cannot be understood in isolation from the context in which they occur.[143]

Indeed, if acting in favour of the basic good of marriage was dependent upon the openness of the marriage as a whole to procreation, as opposed to the openness of every individual sexual act, it would be possible to suggest that contraception may not always involve a hostile intention against the basic good of marriage. For if couples already had children, or were willing for them to come along in the future, their contracepted sexual acts could be understood to be fully integrated within the good of their marriage. As we stated in the previous chapter, this is not a proportionalist argument, it is not that we are trying to justify the use of contraception by the benefits it may have for the marital fellowship; indeed, we are dubious that contraception needs any such justification.[144]

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[142] See pp. 96-7.
[143] See pp. 97-101.
[144] See pp. 102-3.

However, it is important to acknowledge, as we did in relation to the contralife argument, that even if couples using contraception have children or are planning to have them in the future, they are not well disposed towards procreation in that particular moment. So, we compared the dispositions of a couple using contraception and a couple undergoing expensive treatment for infertility. We allowed that, in some cases, couples using contraception may well have a hostile intention against the good of life.[145] Similarly, we can imagine that it is possible for couples to have a hostile intention against their marriage. For example, it would be difficult to see how a couple who decided to have children with other partners could be acting in favour of their marriage.

As in our discussion of the contralife argument, we might suggest that the fact that there will be some who use contraception with a hostile intention against marriage and others who do not, reflects the complex and diverse fabric of the moral world. This, we suggested, is not something which the Grisez School seems to be able to allow for. Indeed, they appear to limit all users of contraception to a single moral category in which it is always used with a contralife will and, in the case of those who are married, it is also always used with a contramarital will. We suggested, therefore, that the Grisez School may lack sufficient discriminations within their moral categories to deal with the complexity of life.

However, given that it is possible to see how a couple using contraception may have a hostile intention against the good of their marriage in the way that Grisez alleges, we might also ask whether such an intention is always wrong. That is, we might return to object to the second premise. In our discussion of the contralife argument, we noted how the seventh and eighth modes of responsibility and the incommensurability of the goods rule out the possibility of choosing to act against a basic good, even if it is done in order to favour another good. We discussed some of the objections which have been raised in response to this substantive moral claim in order to highlight the questionable nature of this second premise.[146]

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[145] See p. 131.
[146] See pp. 133-6.

4.5.iv. Therefore, contraception is wrong

The Grisez School considers that the contramarital argument, like the contralife argument, also demonstrates that contraception is morally wrong. However, we have suggested that they are mistaken to think that the integration of sexual acts within a marriage depends upon the openness of every individual act towards procreation, and therefore that all uses of contraception necessarily involve a hostile intention against the basic good of marriage. Furthermore, while we have allowed that some uses of contraception may intend against the basic good of marriage, we also have also raised doubts about the School's claim that this is always wrong.

4.6 Conclusion

In summary, the aim of this chapter was to ascertain whether the Grisez School's arguments against contraception are any more adequate than John Paul II's. In order to do this we examined and analysed the contralife and the contramarital arguments. In relation to both arguments, we suggested that contraception does not involve a hostile intention against the goods of life or marriage, but that even if it does, this may not necessarily be wrong. That is, we began by objecting to the third premise of the School's argument (that contraception involves a hostile intention against the basic goods of life and marriage), but then also went on to question the second premise (that it is wrong to have a hostile intention against a basic good). As they stand, therefore, the Grisez School's arguments against contraception appear to be no more adequate than John Paul II's.

In the course of the last two chapters the Roman Catholic arguments against contraception have been found wanting; there seem to be no adequate arguments to support the claim that Christians must never use contraception. Therefore, of the two contemporary attitudes towards contraception which we identified at the start of this thesis, we might conclude that the attitude which favours prohibition is rather dubious.

However, if we disregard these prohibitive norms, are there any other norms to guide behviour in relation to the use of contraception, or is there no alternative to the attitude of moral indifference? In the course of the last two chapters we have hinted at moral norms which might guide the use of contraception. For example, we have suggested that while the fostering of the conjugal union is not dependent upon the openness to procreation of every individual sexual act, it might be dependent upon openness to procreation within the life of the marriage as a whole. With this in mind, our next chapter will examine the work four Protestant theologians who have treated the subject of contraception: Karl Barth, Dietrich Bonhoeffer, Helmut Thielicke and Paul Ramsey. We will see that while these theologians argue that contraception is morally licit, they in no way advocate moral indifference towards it. Instead, they propose certain norms which should be observed in relation to its use.

Chapter Five

Some Moral Considerations About the Use of Contraception: An Examination of Four Protestant theologians

5.1 Introduction

At the start of this thesis we claimed that, in general, there are two opposing contemporary attitudes towards contraception: either it is regarded as a matter of moral indifference, or it is considered to be illicit. In the previous three chapters, we examined the Roman Catholic arguments against the use of contraception and found them wanting. While the use of contraception may not, therefore, be wholly illicit for Christians, this does not necessarily mean that it is a matter of moral indifference, or that Christians are entirely at liberty in this area. Indeed, in this chapter we will examine the work of four Protestant theologians who propose that, while contraception is not intrinsically wrong, there are serious moral considerations about its use. These four theologians are Helmut Thielicke, Dietrich Bonhoeffer, Karl Barth and Paul Ramsey. Although none of them say a great deal about contraception, an examination of their work may help us to appreciate some of the moral considerations which are involved in its use.

There are some quite serious theological differences between these four Protestant theologians, yet they raise some very similar moral concerns about the use of contraception. These concerns are not primarily about the use of artificial contraception as such, but about the principle of preventing conception. Indeed, none of them consider that there are any significant moral differences between the various methods of birth control (although total abstention and *coitus interruptus* are generally discouraged because of the burden they place on the marital relationship). Hence, to the extent that the use of the safe period is characterised by control and intervention, it cannot be morally distinguished from artificial contraception. They are not, therefore, concerned with whether or not artificial contraception is licit, but with whether it is licit to limit or avoid parenthood in general.

It will be helpful to make it clear from the outset that these Protestant theologians are not proposing a proportionalist argument in favour of contraception. We have already

mentioned the Roman Catholic revisionist theologians who take a proportionalist line in favour of contraception.[1] Although these revisionists consider contraception to be morally dubious, they argue that its use is justified by the good of the marital fellowship. We have also seen how Paul VI condemned this approach in *Humanae Vitae*. In this encyclical he argued that contracepted sexual acts cannot be justified by the fact that 'such acts constitute a whole together with the fecund acts already performed or to follow later, and hence would share in one and the same moral goodness'.[2] We may wish to concur with the underlying principle of Paul VI's argument here. Indeed, in the previous two chapters we made it clear that we were not objecting to the arguments of John Paul II and the Grisez School on proportionalist grounds. Similarly, the Protestant theologians are not suggesting that the use of contraception is in need of any kind of justification. Instead, they propose that contraception itself is licit. However, as we shall see, they also consider that the use of contraception should be governed by moral norms.

One result of the theological differences between these four Protestant theologians is that while Thielicke argues that procreation is an obligation which belongs to marriage as an order of creation, the other theologians argue that procreation is no longer an obligation, but a freedom. Given this difference, we will begin our examination by treating Thielicke's approach, against which we will then contrast the other approaches. Next we will turn to Bonhoeffer, who argues that procreation belongs to the divine mandate of marriage. Although Bonhoeffer's conception of the divine mandates differs from Thielicke's notion of the orders of creation, Barth is critical of them both. Hence, we will then move on to examine Barth, who considers that the purpose of procreation has been relativised since the birth of Christ. Finally, we will examine Ramsey, whose approach is very similar to Barth's. After we have examined each theologian in turn, we will draw together some of the primary moral considerations about the use of contraception suggested by these theologians. We will do so by proposing two moral guidelines which might govern behaviour in this area.

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[1] See pp. 48, 51-2, 102-3.
[2] HV 14.

5.2 Helmut Thielicke

Thielicke's treatment of contraception can be found in *The Ethics of Sex*,[3] a small volume which he published separately from his larger *Theological Ethics*.[4] In this brief examination of his approach to birth control, we will outline the place he gives to marriage and procreation within the orders of creation. We will see how, according to Thielicke, procreation is an obligation unless concrete circumstances prevent its realisation.

5.2.i Marriage as an order of creation

The starting point for Thielicke's evangelical ethics is the Lutheran theology of the doctrine of justification. According to Thielicke, we live out our justification in relation to the orders of creation, one of which is marriage. However, he suggests that marriage is rather different from the other orders of creation. Marriage is an order of creation 'in the *real* sense',[5] whereas the other orders are *post-lapsarian* orders of history, given for the preservation of the world, and hence they are not a direct representation of the Creator's will. Marriage transcends these orders of history because it is located in the original state of creation. However, the order of marriage has not escaped the effects of the fall. Indeed, since the fall there has always been a tension between creation and history, 'between the command of God and the situation which is inadequate to the command.'[6] Therefore, while the order of marriage continues to assert itself in this world, it has undergone remarkable modifications; *post lapsum*, the command of God in creation (Genesis 1:28) has been modified into the law of the Noachic covenant (Genesis 9:1ff).[7]

So, Thielicke continues, in the fallen aeon (the specific phase of history between the fall and the last judgement), we live under the Law of God: God's original will as it is modified by the fallen world. In the fallen aeon certain concrete situations will arise

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[3] Helmut Thielicke, *The Ethics of Sex*, trans. by J. W. Doberstein (Cambridge: James Clarke, 1964).
[4] Helmut Thielicke, *Theological Ethics*, ed. by William H. Lazareth, 2 vols (London: Adam and Charles Black, 1968).
[5] Thielicke, *The Ethics of Sex*, p. 104.
[6] Thielicke, *The Ethics of Sex*, p. 203.
[7] Thielicke, *Theological Ethics*, I, p. 147; also Thielicke, *The Ethics of Sex*, p. 202.

which prevent the realisation of the order of marriage. For example, certain situations will arise which will necessitate divorce. That this is allowed by the Law of God is an alteration to the command of creation. However, although the original will of God has been altered, this does not mean that the orders of this passing world should no longer be respected. It is the concrete realisation of the command which has altered, rather than the continuance of the claim itself.[8]

Hence, Thielicke cannot understand how Karl Barth can argue that the order of creation expressed in the command to 'be fruitful and multiply' (Genesis 1:28), has ceased to be unconditional *post Christum natum*.[9] Instead, Thielicke maintains that this command of creation persists, but because it asserts its claim in a fallen world, certain concrete circumstances will sometimes prevent its realisation. When the restrictions of reality make it impossible to realise the obligation to have children, a person is prevented from living in this aeon 'in the name' of the order of creation, and can only live '"in the name" of the forgiving patience of God'.[10]

Thielicke argues that the order of creation in marriage consists of both the companionship of the spouses and their parenthood. Following what he considers to be the position of the Roman Catholic encyclical *Casti Connubii*, he suggests that the personal relationship of the marriage is the central emphasis of the order of creation, and that procreation is included only insofar as it fulfils this fellowship. He states:

> [...] The obligatory character of the procreation of children as a purpose of marriage is not derived from an isolated command of creation, but is rather regarded as obligatory only insofar as the main purpose of marital fellowship cannot be fulfilled without the *conditio sine qua non* of willingness to have children.[11]

Since the fall it is possible that these two integral aspects of the order of creation will come into conflict with one another. That is, procreation may burden or threaten the marriage relationship rather than fulfil and perfect it. Although this was not the character of the command in the original state of creation, it is a mistake to overlook the fallenness

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[8] Thielicke, *The Ethics of Sex*, p. 202.
[9] Thielicke, *The Ethics of Sex*, p. 202, footnote 3.
[10] Thielicke, *The Ethics of Sex*, p. 203.
[11] Thielicke, *The Ethics of Sex*, p. 205.

of this aeon, and to insist that the order of creation asserts itself now as it did then. To deny that the elements of the order of creation are in conflict in this aeon by insisting upon the oneness of marriage and procreation is not to be obedient to the order of creation, but to be in 'bondage to the order of nature'.[12] According to Thielicke, the order of creation is not identical to the order of nature. For, unlike other natural beings, man is a 'personal being vis-à-vis the Creator who addresses him in promise and command and calls him to act in responsible freedom'.[13] Therefore, living in obedience to the order of creation will often mean transcending the order of nature. Indeed, it is 'axiomatic in every ethic that human existence consists not in compliance with nature but rather in *assertion* over against nature'.[14]

5.2.ii Birth control within the order of marriage

According to Thielicke, therefore, the command to 'be fruitful and multiply' continues to assert itself in the fallen aeon, and we are to preserve the unity between the marriage relationship and the procreation of children where at all possible. Such is the obligation to have children that a permanent refusal to have them should only occur in exceptional situations which are beyond the power of the couple to rectify. However, when concrete circumstances arise over which the husband and wife have no control, they do not lack a willingness to have children, but the freedom to make a positive decision to have them.[15] Among these exceptional cases, Thielicke includes the severe illness of the mother, difficult living conditions, severe hereditary affliction, economic circumstances, and early marriages.[16] Thielicke goes as far as to question whether those who are trapped by the force of such circumstances may be rendered involuntarily childless, in a similar way to those who are biologically infertile.

By allowing that such circumstances may prevent a couple from realising the obligation to have children, Thielicke is not invalidating the assertion of the order of creation. Such situations always sit under the claim and judgement of this order. He

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[12] Thielicke, *The Ethics of Sex*, p. 211.
[13] Thielicke, *The Ethics of Sex*, p. 209.
[14] Thielicke, *The Ethics of Sex*, p. 210.
[15] Thielicke, *The Ethics of Sex*, p. 208.
[16] Thielicke, *The Ethics of Sex*, p. 203.

states, 'here something is being "put asunder" which God has "joined together".'[17] However, while the separation of the two integral aspects of the order of marriage is not in line with God's original will, it may at times be necessary. Furthermore, when aspects of the created order come into conflict with one another, the choice to respect one aspect will mean acting against another. According to Thielicke, this conflict is characteristic of the 'borderline situation' under which he tackles birth control. The borderline situation is always one of sin and suffering, where both alternatives bear the mark of guilt and the need for forgiveness.

Therefore, when there are insurmountable hindrances to the procreation of children, Thielicke states that the claim of the order of creation does not brush aside these conditions and insist upon the oneness of wedlock and parenthood. Instead, in such situations the order of creation 'must rather be heard as a summons to responsibility over against the order of nature'.[18] In light of the call of God to act in responsible freedom, it is therefore legitimate to ask two opposing questions. Firstly, 'can I responsibly receive the blessing of children as things are now?' Secondly, 'can I, as things now stand, responsibly refuse to have children?'[19] In some situations, it may be irresponsible to bring children into the world and, if so, the decision is not only made against the order of creation, but in light of its demand for responsibility. If such a decision is not motivated by wilfulness or selfishness, Thielicke considers that insurmountable hindrances can properly be understood in terms of involuntary childlessness.

However, while Thielicke recognises that the use of contraception will at times be necessitated by such exceptional circumstances, he is critical of couples who wilfully refuse to have children. He states:

> [...] There can be no doubt that a wilful and permanent refusal to have children on principle constitutes a reduction of the purpose of marriage in the order of creation, a sundering of what God has joined together, and therefore something that is not in accord with the proper will of God.[20]

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[17] Thielicke, *The Ethics of Sex*, p. 204.
[18] Thielicke, *The Ethics of Sex*, p. 210.
[19] Thielicke, *The Ethics of Sex*, p. 211.
[20] Thielicke, *The Ethics of Sex*, p. 206.

Hence, while the marriage of a biologically infertile couple does not lack intrinsic value because it is the personal relationship which is the central emphasis of the order of creation, when a husband and wife simply lack the willingness to have children, they call into question the full meaning of marriage. Thielicke argues that selfish motives for not having children, (such as a desire for comfort and a high standard of living, or fear of responsibility) are 'an offense against the order of creation'.[21] He rejects the possibility of legitimately dividing the order of creation by a permanent refusal to have children on the basis of selfish motives, just as he rejects the possibility of legitimately being a parent without being married.[22]

Once the decision to use birth control has been made, a method of implementing the decision must be chosen. Thielicke states that sexual abstinence is not a legitimate option because it 'actually infringes upon sexual fellowship intended by the order of creation; and if - as we said - the focal point of marriage lies in the personal relationship, it means an assault upon the center of the marriage fellowship.'[23] *Coitus interruptus* is also rejected on the basis that it can have harmful psychological effects. Furthermore, according to Thielicke, there is no substantive moral difference between using the safe period and artificial contraception. He argues that the distinction which the Roman Catholics draw between the two is inconsistent, and that 'both are "unnatural", since they do not allow nature to operate blindly'.[24]

5.2.iii Birth control and the population explosion

The final borderline situation in relation to which Thielicke discusses birth control is the rapid population explosion, especially in developing countries. Thielicke expresses some theological reservations about assuming that contraception and state-enforced limitation of births is the solution to the problem of overpopulation.

Firstly, he suggests that the fundamental structure of the order of creation would be blurred by any kind of state-enforced limitation of births. It would make contraception,

[21] Thielicke, *The Ethics of Sex*, p. 206.
[22] Thielicke, *The Ethics of Sex*, p. 207.
[23] Thielicke, *The Ethics of Sex*, p. 213.
[24] Thielicke, *The Ethics of Sex*, p. 214.

which he has treated as an exception, the rule. It would also remove from the couple the need to make a responsible decision under the judgement of the order of creation. Furthermore, while in the order of creation responsible parenthood is meant to transcend nature, state-controlled limitation of births would mean that 'all the human factors of the sex relationship that transcend nature would be naturalized'.[25]

His second objection concerns the purpose of technology, which is threatened when it is used by humanity to manipulate creation for its own ends and not out of respect for the limitations placed upon it by God. Hence, 'the prevention of conception, which is a sign that man is given the task of responsibly transcending nature, can become a sign of an irresponsible elimination of nature.'[26]

Thirdly, both individual use of contraception and state-enforced programmes of birth limitation are faced with a spiritual question: is controlling births allowing our need for security to supersede our faith and confidence in God? Thielicke states:

> The bringing forth of a child is *always* an incalculable venture; the bearing of a child is not without danger nor is its rearing without an element of risk. And there will *always* be difficulties that come from the external situation. From these 'possibilities' there can come anxiety, which either becomes the material of faith (Ps. 73: 23-28) or tempts us to meet it with the calculating prudence of security.[27]

Thielicke recognises that in relation to preventing births, it is sometimes difficult to distinguish between security grounded in faith, and security which arises from unbelief. Such are the uncertainties which surround having children that they 'furnish an inexhaustible stock of reasons which appear to give us the right not to allow new life to come into being'.[28]

Commenting upon this question of faith, William Willimon notes that the reluctance of many couples to have children may present itself as an act of responsibility (for example, in light of overpopulation) when it is 'only an untrusting anxiety which

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[25] Thielicke, *The Ethics of Sex*, p. 219.
[26] Thielicke, *The Ethics of Sex*, p. 220.
[27] Thielicke, *The Ethics of Sex*, p. 220.
[28] Thielicke, *The Ethics of Sex*, p. 221.

results in an overwhelming need for security'.[29] So, Willimon continues, we need to be constantly asking ourselves whether our reasons for not having children arise out of our responsibility to God and our fellow human beings, 'or are they arising out of our seemingly never-ending desire to evade responsibility for anyone beside ourselves?'[30] Therefore, while a self-centred need for security, grounded in a lack of faith, can be the overriding motive for not having children, Thielicke, quoting Karl Barth, recognises that the birth of a child can be an act of faith.[31]

5.2.iv Conclusion

To summarize, the essence of Thielicke's argument is that although the realisation of the order of marriage in the fallen aeon is sometimes prevented by concrete circumstances, it continues to assert its claim. This means that unless a husband and wife are faced with exceptional circumstances which make the having of children extremely difficult, they are obliged to have children in order to fulfil and perfect their marriage. Where there are insurmountable hindrances to having children, Thielicke suggests that the order of creation demands responsibility, and hence the use of contraception. However, when a couple wilfully refuses to have children, the true meaning of marriage is called into question.

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[29] William H. Willimon, 'Children: The Blessed Burden', *Religion in Life*, 49 (1980), 24-34 (p. 32).

[30] Willimon, p. 32.

[31] Thielicke, *The Ethics of Sex*, p. 221. On having children as an act of faith, also see Stanley Hauerwas with Richard Bondi and David B. Burrell, *Truthfulness and Tragedy: Further Investigations into Christian Ethics* (Notre Dame: University of Notre Dame Press, 1977), pp. 147-156; Stanley Hauerwas, *A Community of Character: Toward a Constructive Christian Social Ethic* (Notre Dame: University of Notre Dame Press, 1981), pp. 155-195; Stanley Hauerwas, *Suffering Presence: Theological Reflections on Medicine, the Mentally Handicapped and the Church* (Edinburgh: T&T Clark, 1988), pp. 142-156; Samuel Wells, *Transforming Fate into Destiny: The Theological Ethics of Stanley Hauerwas* (Carlisle: Paternoster Press, 1998), pp. 172-178.

5.3 Dietrich Bonhoeffer

Bonhoeffer's brief discussion of contraception is found in his unfinished work, *Ethics*, which was posthumously edited and published in German by Eberhard Bethge in 1949, and was then translated into English in 1955.[32] We will begin our examination of Bonhoeffer's work on contraception by considering his account of the ordering of the penultimate by the divine mandates, including the mandate of marriage. We will then see how he understands the natural life to have certain rights, and how the permanent use of birth control threatens these rights and contradicts the meaning of marriage.

5.3.i The ordering of the penultimate by the divine mandates

As fellow Lutherans, Thielicke and Bonhoeffer share the same ethical starting point: the doctrine of justification. Bonhoeffer understands this doctrine in terms of the 'ultimate' and the 'penultimate'. The ultimate is the work of Christ, or the justification of the sinner by grace alone; it is the final word of God. Yet the ultimate is 'always preceded by something penultimate, some action, suffering, movement, volition, defeat, uprising, entreaty or hope'.[33] The penultimate, therefore, is all that precedes the justification of the sinner.

Bonhoeffer suggests that there are two things which are penultimate in relation to the justification of the sinner by grace: being man and being good. These are the conditions which are to be established as preparation of the way in the penultimate for the sake of the ultimate. Bonhoeffer comments that it is only in reference to Christ that we can know what it is to be man and what it is to be good, and it is because Christ is coming that we must be men and we must be good.[34] This is what gives shape to the Christian life. Bonhoeffer states, 'Christian life is the dawning of the ultimate in me; it is the life of Jesus Christ in me. But it is always also life in the penultimate which waits for the ultimate.'[35]

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[32] Dietrich Bonhoeffer, *Ethics*, ed. by Eberhard Bethge (London: SCM Press, 1955).
[33] Bonhoeffer, *Ethics*, p. 83.
[34] Bonhoeffer, *Ethics*, pp. 96-7.
[35] Bonhoeffer, *Ethics*, p. 99.

Bonhoeffer includes natural life within the penultimate. He considers that the natural has been discredited in Protestant ethics, which otherwise tends to be concerned only with divine grace. Protestant thought, according to Bonhoeffer, has let everything natural sink 'into the night of sin' and so can draw no relative distinctions within the fallen world.[36] He states, 'the sole antithesis to the natural was the word of God; the natural was no longer contrasted with the unnatural.'[37] However, Bonhoeffer wishes to recover the distinction between the natural and the unnatural. The former is that which, after the Fall, is directed to the coming of Christ. The latter is that which, after the Fall, is closed against the coming of Christ. Therefore, Bonhoeffer is making a theological appeal to the natural, according to which the natural is understood as 'the form of life preserved by God for the fallen world and directed towards justification, redemption and renewal through Christ'.[38]

Within the natural life, there is relative freedom. However, there are true and mistaken uses of this freedom, hence the difference between the natural and the unnatural. The coming of Christ will finally expose this difference. The natural will then be confirmed as penultimate and the unnatural as that which destroys the penultimate. However, until that time, the natural life is not simply to be understood as a preliminary to life with Christ. Rather, it is only from Christ that the natural life receives its validation. Bonhoeffer states, 'Christ himself entered into the natural life, and it is only through the incarnation of Christ that the natural life becomes the penultimate which is directed towards the ultimate.'[39]

The natural life is formed life. God gives life form because left to itself it would only destroy itself.[40] One of the ways in which Bonhoeffer understands the natural life to be structured is by the four divine mandates: church, marriage and the family, culture and government. Bonhoeffer states:

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[36] Bonhoeffer, *Ethics*, p. 101.
[37] Bonhoeffer, *Ethics*, p. 101.
[38] Bonhoeffer, *Ethics*, p. 103.
[39] Bonhoeffer, *Ethics*, pp. 102-3.
[40] Bonhoeffer, *Ethics*, p. 106.

> By the term 'mandate' we understand the concrete divine commission which has its foundation in the revelation of Christ and which is evidenced by Scripture; it is the legitimation and warrant for the execution of a definite divine commandment, the conferment of divine authority on an earthly agent. The term 'mandate' must also be taken to imply the claiming, the seizure and the formation of a definite earthly domain by the divine commandment. The bearer of this mandate acts as a deputy in the place of Him who assigns him his commission.[41]

In his description of the mandates, Bonhoeffer's primary concern appears to be their divine nature. Bonhoeffer states, 'it is only from above, with God as the point of departure, that it is possible to say and to understand what is meant by the Church, by marriage and the family, by culture and by government.'[42] Similarly, elsewhere Bonhoeffer states, 'these mandates are, indeed, divine only by virtue of their original and final relation to Christ.'[43]

In emphasising that the mandates are epistemologically revealed, Bonhoeffer distinguishes his conception of them from the more conservative interpretations of the orders of creation which were feeding Nazi propaganda. Indeed, although he had described these four structures of life as 'orders of preservation' in his 1932 university lectures, entitled 'Creation and Fall', by the time he wrote *Ethics*, he chose the term 'mandate' in 'self-conscious opposition to teachings in Lutheran ethics on the "orders of creation" and "orders of preservation".'[44] He claims that the old notion of the institution, office and estate have been so misused that they have lost their original meaning, and so his purpose is to help restore them. Thus, Bonhoeffer states that 'in its proper sense the term "institution" or "order" might also be applied here, but this would involve the danger of directing attention rather towards the actual state of the institution than towards its foundation, which lies solely in the divine warrant, legitimation and authorization'.[45]

According to Bonhoeffer, it is God's will that there is labour, marriage, government and church in the world. Indeed, 'it is not because labour, marriage, government and church *are* that they are commanded by God, but it is because they are

[41] Bonhoeffer, *Ethics*, p. 254.
[42] Bonhoeffer, *Ethics*, p. 255.
[43] Bonhoeffer, *Ethics*, p. 73.
[44] Larry Rasmussen, 'The Ethics of Responsible Action', in *The Cambridge Companion to Dietrich Bonhoeffer*, ed. by John W. de Gruchy (Cambridge: Cambridge University Press, 1999), pp. 206-225 (p. 221).
[45] Bonhoeffer, *Ethics*, p. 254.

commanded by God that they *are*.'[46] Furthermore, God has 'imposed all these mandates on all men'.[47] Bonhoeffer continues:

> He has not merely imposed one of these mandates on each individual, but he has imposed all four on all men. This means that there can be no retreating from a 'secular' into a 'spiritual' sphere. There can only be the practice, the learning, of the Christian life under these four mandates of God.[48]

Hence, according to Bonhoeffer, the four mandates structure the form of life in the penultimate; it is only possible to be man and to be good in relation to them.

We find the key tenets of Bonhoeffer's understanding of marriage in his concise paragraph on this mandate. Firstly, marriage is a blessing given in the original creation. He states, 'like the mandate of labour, the mandate of marriage also confronts us after the creation already with the first man.'[49] Secondly, he mentions the divine nature of the mandate of marriage, and the founding of marriage in the union of the spouses: 'in marriage man and woman become one in the sight of God, just as Christ becomes one with His Church. "This is a great mystery" (Eph. 5.32ff).'[50] Thirdly, procreation is intrinsic to the blessing of marriage: 'God bestows on this union the blessing of fruitfulness, the generation of new life. Man enters into the will of the Creator in sharing in the process of creation.'[51] However, the mandate of marriage not only includes the procreation of children, but also their education. Bonhoeffer states:

> Through marriage men are brought into being for the glorification and service of Jesus Christ and for the increase of His Kingdom. This means that marriage is not only a matter of producing children, but also of educating them to be obedient to Jesus Christ.[52]

Hence, parents are given the special responsibility of being the representatives of God for their children.[53] Finally, Bonhoeffer also recognises that this mandate cannot escape the

[46] Bonhoeffer, *Ethics*, p. 74.
[47] Bonhoeffer, *Ethics*, p. 73.
[48] Bonhoeffer, *Ethics*, p. 73.
[49] Bonhoeffer, *Ethics*, p. 75.
[50] Bonhoeffer, *Ethics*, p. 75.
[51] Bonhoeffer, *Ethics*, p. 75. Also see Dietrich Bonhoeffer, 'A Wedding Sermon from a Prison Cell', in *Letters and Papers from Prison: An Abridged Edition*, ed. by Eberhard Bethge (London: SCM Press, 1981), pp. 41-47 (pp. 45-46).
[52] Bonhoeffer, *Ethics*, p. 75.
[53] The importance of bringing children up to love God and the parental responsibility to be

effects of the fall. That Cain was born far from Paradise and later killed his brother means that 'a dark shadow falls from the very outset on marriage and the family in this our world'.[54]

5.3.ii The rights of natural life

Bonhoeffer expands upon these key tenets of his understanding of marriage when he discusses the rights and duties of natural life. He argues that 'natural life must be lived within the framework of certain definite rights and certain definite duties'.[55] The rights of natural life are given to life by God. In the fallen world, they are 'the reflected splendour of the glory of God's creation. They are not primarily something that man can sue for in his own interest, but they are something which is guaranteed by God Himself.'[56]

Bonhoeffer argues that it is the right to bodily life which is the foundation of all the natural rights. Since God willed that there should be human life on earth only in the form of bodily life, and since all rights cease at death, 'the preservation of the life of the body is the foundation of all natural rights without exception.'[57] Bonhoeffer suggests that life in the body is 'both a means to an end and an end in itself'.[58] For example, in sexual intercourse, while the body is, on the one hand, the means to reproduction, on the other,

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God's representatives for their children is a significant theme found in the writing of Luther, the Puritans and the Anglican divines. See, for example, Luther, 'The Estate of Marriage, 1522' in *Luther's Works*, trans. and ed. by Walther I. Brandt, general editor Helmut T. Lehmann, 55 vols (Philadelphia: Muhlenburg Press, 1962) XLV, pp. 17-49; Luther, 'A Sermon on the Estate of Marriage, 1519' in *Luther's Works*, trans. and ed. by James Atkinson, general editor Helmut T. Lehmann, 55 vols (Philadelphia: Fortress Press, 1966) XLIV, pp. 7-14; William Perkins, *Christian Oeconomie: Or, a Short Survey of the Right Manner of Erecting and Ordering the Family, According to the Scriptures*, trans. by T. Pickering (London: Edmund Weaver, 1609); Richard Baxter, *A Christian Directory*, 2nd edn, 4 parts (London: printed by Robert White for Nevil Simmons, 1678) II; George Herbert, *A Priest to the Temple: Or, the Countrey Parson: His Character, and the Rule of Holy Life*, 2nd edn (London: [n. pub.], 1671); Jeremy Taylor, *The Marriage Ring: Or, the Mysteriousness and Duties of Marriage*, ed. by F. B. Money Coutts (Cambridge: Deighton, Bell, and Co., 1883).

[54] Bonhoeffer, *Ethics*, p. 75.

[55] Bonhoeffer, *Ethics*, p. 107.

[56] Bonhoeffer, *Ethics*, p. 108.

[57] Bonhoeffer, *Ethics*, p. 112.

[58] Bonhoeffer, *Ethics*, p. 112.

the bodily joy of sexual intercourse means that it is an end in itself. According to Bonhoeffer, 'sex is not only the means of reproduction, but, independently of this defined purpose, it brings with it its own joy, in married life, in the love of two human beings for one another.'[59] Therefore, in regards to sex, the right to the preservation of bodily life implies two further rights: the right to bodily joys and the right to propagate.

In relation to birth control, it is the couple's right to bodily joys which is Bonhoeffer's starting point. He states:

> In approaching this question it is indispensable, for the sake of the marriage as a whole, that one should acknowledge a right to full bodily union as a right which is quite distinct from the right of reproduction, even though essentially it can never be entirely separated from it, the two being closely allied; it is a right that is founded upon the mutual love of the married pair.[60]

Bonhoeffer suggests that acknowledging the right to full bodily union is in accordance with the biblical conception of marriage; 'marriage is not founded upon the purpose of reproduction but on the union of man and woman.'[61] He continues, 'the fruitfulness of this union is not something which is commanded'; rather, 'it is a blessing from God.'[62] Hence, he suggests that Roman Catholic moral theology is mistaken to think that the sin of Genesis 38 consists in the abuse of marriage.[63] In contrast to Thielicke, therefore, Bonhoeffer is not saying that couples have an obligation to have children; procreation is a blessing rather than a command. However, this does not mean that couples can completely neglect the right of propagation.

Indeed, according to Bonhoeffer, the right of propagation is both a personal decision and a necessity of the species. He states that man, unlike the animals, does not have an impulse to reproduce in order to preserve the species in general. Instead, 'the impulse to reproduce appears rather as a conscious will to have a child of his own.'[64] Reproduction is therefore a personal decision. Yet, at the same time, the making of this

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[59] Bonhoeffer, *Ethics*, p. 114.
[60] Bonhoeffer, *Ethics*, p. 134.
[61] Bonhoeffer, *Ethics*, p. 134, footnote 2.
[62] Bonhoeffer, *Ethics*, p. 134, footnote 2.
[63] Bonhoeffer, *Ethics*, p. 134, footnote 2.
[64] Bonhoeffer, *Ethics*, p. 128.

personal decision is 'the fulfilment of the collective function of propagating the human race'.[65] The nature of the right of propagation is aptly described in Bonhoeffer's marriage sermon for Eberhard Bethge. Bonhoeffer writes:

> Marriage is more than your love for each other. It has a higher dignity and power, for it is God's holy ordinance, through which he wills to perpetuate the human race till the end of time. In your love you see only your two selves in the world, but in marriage you are a link in the chain of generations, which God causes to come and to pass away to his glory, and calls into his kingdom. In your love you see only the heaven of your own happiness, but in marriage you are placed at a post of responsibility towards the world and mankind. Your love is your own private possession, but marriage is more than something personal - it is a status, an office.[66]

Although Bonhoeffer considers that marriage is founded upon the union of the spouses, he argues that they must not violate the right of propagation or the right of nascent life. In relation to this latter right, Bonhoeffer states that 'marriage involves acknowledgement of the right of life that is to come into being'.[67] He goes on, 'unless this right is acknowledged as a matter of principle, marriage ceases to be marriage and becomes a mere liaison.'[68] Bonhoeffer appears to be suggesting that an openness to receive the blessing of children belongs to the very nature of marriage. Indeed, he states that when 'the emergence of life is consistently prevented' and 'the desire for a child is consistently excluded', this attitude 'is in contradiction to the meaning of marriage itself and to the blessing which God has bestowed upon marriage through the birth of the child'.[69]

Therefore, Bonhoeffer, like Thielicke, distinguishes between the permanent exclusion of children and the responsible use of birth control. Given that the specific nature of *human* reproduction is a matter of the *will* to have a child of one's own, 'it would not be right for blind impulse simply to run its course as it pleases and then to go on to claim to be particularly pleasing in the eyes of God; responsible reason must have a share in this decision.'[70] Therefore, the use of contraception can be necessitated by

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[65] Bonhoeffer, *Ethics*, p. 128.
[66] Bonhoeffer, 'A Wedding Sermon from a Prison Cell', pp. 42-43.
[67] Bonhoeffer, *Ethics*, p. 130.
[68] Bonhoeffer, *Ethics*, p. 130.
[69] Bonhoeffer, *Ethics*, p. 131.
[70] Bonhoeffer, *Ethics*, p. 132.

'weighty reasons' which 'in a particular concrete instance will call for a limitation of the number of children'.[71]

Bonhoeffer does not elaborate upon the circumstances which might necessitate the use of contraception, but he does discuss the merits of the different methods of birth control. He suggests that total abstention 'undermines the physical basis of marriage and threatens marriage itself with nullification and destruction by robbing it of its fundamental right'.[72] According to Bonhoeffer, while this method may eliminate the unnatural act of preventing conception, it does so by means of the equally unnatural state of a marriage without a bodily union. However, Bonhoeffer does not think that contraceptives therefore have a higher claim than the other methods of controlling births. He states that neither the free rein of the natural impulse, nor marital abstinence, nor artificial contraception is in principle a morally superior course of action. Instead, in each individual case, scope must 'be allowed for the free action of a conscience which renders account to God'.[73]

5.3.iii Conclusion

To summarize, according to Bonhoeffer, natural life is structured by the four divine mandates. Marriage is founded upon the union of the spouses, and therefore the fundamental right of marriage is the bodily union. The relative freedom of the natural life is apparent in the fact that within the mandate of marriage procreation is a blessing rather than a command. However, to continually prevent the possibility of having children would be a mistaken use of this freedom. Indeed, the permanent use of contraception contradicts the meaning of marriage, just as total abstention violates the right to full bodily union.

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[71] Bonhoeffer, *Ethics*, p. 132.
[72] Bonhoeffer, *Ethics*, p. 133.
[73] Bonhoeffer, *Ethics*, p. 134.

5.4 Karl Barth

Karl Barth's treatment of birth control is found in volume III/4 of his *Church Dogmatics*, which was published in German in 1951 and then translated into English in 1961.[74] As this volume addresses the question of 'special ethics', this is where our examination will begin. Here we will note Barth's critique of the concept of the orders of creation and Bonhoeffer's understanding of the divine mandates. We will then proceed to examine his Christological perspective on the purpose of procreation, according to which there is no longer a moral obligation to have children. However, this does not mean that Barth considers the unlimited use of birth control to be permissible. Indeed, we will see how, according to Barth, the refusal of the divine offer of children can seriously threaten the meaning of marriage and so must always be justified by sufficient reasons.

5.4.i Special ethics

Barth argues that it is only possible to enquire about ethical questions, such as the use of birth control, from the perspective of dogmatics. This is because the question of good human behaviour has been conclusively answered in God's action in Jesus Christ. Human action can therefore only be good if it follows the action of God in Christ. Hence, any attempt to answer the question of good human behaviour without reference to the ontologically and paradigmatically prior action of God in Christ will be sure to fail. For as Jesus Christ is the source and measure of all goodness, so human action will only be good to the extent that it hears and obeys the Word and command of God.[75]

That ethics follows dogmatics, in the way that the imperative follows the indicative, is, according to Jüngel, the result of Barth's reformulation of Luther's conception of law and gospel. Jüngel states, 'by subsuming ethics (understood as the command of God) under dogmatics, Barth indicates that the question posed by the law, "what should we do?" presupposes the dogmatic question of God's existence and activity

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[74] Karl Barth, *Church Dogmatics*, trans. by A. T. Mackay and others, ed. by G. W. Bromiley and T. F. Torrance, 5 vols (Edinburgh: T&T Clark, 1961), III/4. Hereafter referred to as CD III/4.

[75] CD III/4, p. 3.

only from the Word of God as gospel.'[76] As the law cannot be understood without the primacy of the gospel, the command of God is essentially a word of freedom and permission; it is not something that we *must* obey, but something that we *may* obey. Barth comments:

> In the whole concrete fulness and concentration with which it applies to man, the command of God is an appeal to his freedom: not, of course, to a freedom of his choice, preference or selection; but to his real freedom, which consists in his freedom for God, in his freedom to obey Him.[77]

Special ethics enquires about human action under the command of God. But how is the command of God heard in order that it might be obeyed? Barth states that the command of God does not 'hang ineffectively in the air above man'.[78] In other words, it does not exist on some sort of spiritual plane which is disconnected from the concrete activity of man. Neither is it discerned in the isolated moment or event by 'a kind of direct and particular divine inspiration and guidance' which can be prepared for in '"quiet times" or similar exercises'.[79] Instead, when faced with the ethical question, it cannot only be considered in the vertical dimension (in terms of individual encounters between God's command and human action), it must also be considered in the horizontal dimension (in terms of the constancy and continuity of the divine command and human action).[80] This is because the nature of such encounters between the command of God and human action is that each individual encounter is connected to a whole series of other encounters. Therefore, in attempting to hear the command of God in relation to the ethical event, 'definite instruction' is found in the formed reference of the horizontal.[81]

Thus, according to Barth, the constant factor in the ethical event is the history of the encounter between God and His people. This constitutes the formed reference of special ethics. In Jesus Christ, God is known as Creator, Reconciler and Redeemer, which means that His people are known as creatures, sinners and children of God. The history of

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[76] Eberhard Jungel, *Karl Barth: A Theological Legacy*, trans. by Garrett E. Paul (Philadelphia: Westminster Press, 1986), p. 111.
[77] CD III/4, p. 13.
[78] CD III/4, p. 5.
[79] CD III/4, p. 15.
[80] CD III/4, p. 17.
[81] CD III/4, p. 18.

the relationship between God and humanity does not provide the specific content of God's command, but it does provide the characteristics which belong to the relationship of Creator-creature, Reconciler-sinner and Redeemer-child. Therefore, as Biggar states, it is the 'history of God's covenant grace with humankind' which provides the 'organizing principle' of special ethics.[82]

Barth is keen to distinguish his understanding of the formed reference of special ethics from any concept of the 'orders of creation' or the 'divine mandates'. Although Barth himself had spoken of marriage and the family as created orders in his 1928 Münster lectures, by the time the German edition of *Church Dogmatics* III/4 was published in 1951, he was critical of both Brunner's conception of the orders of creation and Bonhoeffer's account of the mandates, published two years earlier in his *Ethics*.

One of Barth's objections to Brunner's understanding of the orders of creation is epistemological in nature. Barth states:

> Brunner no longer leaves us in any doubt that this is what he really has in view when he speaks of 'orders'; that the doctrine of an earthly and human justice in family, industry and state is to be grounded quite exclusively upon a natural law (interpreted mainly in Aristotelian fashion); and that the revealed command of the gracious God is to be relegated to the sphere of individual ethics and not to be considered in connexion with the attainment of this concept of justice.[83]

However, as Biggar comments, Barth's objections to this concept of the orders of creation are not only epistemological in character. Instead, his objections 'concern the doctrine of God, the doctrine of redemption, and ethics'.[84] Biggar continues that, as Barth sees it, these orders 'entirely neglect the vertical dimension for the horizontal one'; indeed, they 'are asserted as separate from the command of God who is gracious to humankind in Jesus Christ'.[85] Such separation is to be avoided because it 'splits the unity of God, and the unity of his command, it divides the orders of creation from the orders of

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[82] Nigel Biggar, *The Hastening that Waits: Karl Barth's Ethics* (Oxford: Clarendon Press, 1993), p. 31.
[83] CD III/4, pp. 20-21.
[84] Biggar, *The Hastening that Waits,* p. 54.
[85] Biggar, *The Hastening that Waits,* p. 54.

reconciliation and redemption, and so making it impossible to maintain the "sanctification of the whole man"'.[86]

Barth was writing before Thielicke, but there may be some similarities between Thielicke's account of the orders of creation and Brunner's. In Thielicke's account there is a certain amount of ambiguity about their epistemological derivation. He claims that the orders are derived from the doctrine of justification, but he does not seem to provide any details about how such a derivation is made. One is therefore left wondering whether Thielicke, rather like Brunner, is appealing to a form of natural law to support his conception of the orders of creation. Bonhoeffer, on the other hand, is clear that the mandates are 'from above'. Hence, Barth prefers Bonhoeffer's conception of the mandates to Brunner's account of the orders of creation because the former 'do not emerge from reality; they descend into it'.[87]

However, Barth also raises various objections to Bonhoeffer's conception of the mandates. In particular, Barth wants to enquire more cautiously about the constancy of the human relationships revealed in God's Word, 'rather than rushing on to the rigid assertion of human relationships arranged in a definite order, and the hasty assertion of their imperative character.'[88] Barth objects to seeing anything imperative in the constant relationships revealed in the Word of God (such as the male-female or parent-child relationship) when they are treated in abstraction from the ethical event. He states:

> But is it not the case that the reference to these relationships as such does not necessarily have the character of an imperative, and therefore in the strict sense of a mandate, but that it must become an imperative, a concrete command or mandate, in the power of the divine command itself, in the ethical event?[89]

Therefore, Barth seems to be suggesting that although the mandates are meant to be 'divine', they are in danger of undermining the vertical dimension by imagining that the horizontal has the nature of an imperative in isolation from the ethical event. In contrast,

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[86] Biggar, *The Hastening that Waits,* p. 54, citing CD III/4, p. 37.
[87] CD III/4, p. 22.
[88] CD III/4, p. 22.
[89] CD III/4, p. 22.

according to Barth, humanity is not commanded to be obedient to the horizontal orders of human existence, but to be obedient to God within these orders.[90]

5.4.ii Procreation since the birth of Christ

According to Barth, humanity is destined to be the covenant-partner of God. Barth states that man's 'ordination to be in covenant relation with God has its counterpart in the fact that his humanity, the special mode of his being, is by nature and essence a being in fellow-humanity'.[91] Indeed, because 'the God who is no *Deus solitarius* but *Deus triunus*, God in relationship' cannot be mirrored in a *homo solitarius*, 'humanity which is not fellow-humanity is inhumanity.'[92] Humanity is the image of the *Deus triunus* in several different spheres of human fellowship: the relationships of man and woman, parents and children, and near and distant neighbours.

In his discussion of the encounter between man and woman, Barth objects to describing marriage as an order of creation because in doing so a 'human tradition - later grounded in natural law - is set above Holy Scripture'.[93] Barth argues that in Luther's later writings, marriage (understood almost exclusively in terms of procreation) is valued far beyond celibacy. This view then 'hardened itself into a doctrine of the universal obligation of marriage on the basis of a supposed order of creation'.[94] But Barth considers that this is contrary to the teaching of the Scriptures. He states that in the Old Testament the disgrace connected with the unmarried state was a result of the need to procreate the holy seed of Abraham and carry forward Israel's hope for a Messiah. Thus, once the Messiah was born, we can expect that another practice would be possible in regards to marriage. Barth states:

> The clamp which made marriage a necessity for man and woman from their creation is not removed but it is certainly loosened. Marriage is no longer an absolute but a relative necessity. It is now one possibility among others. Negatively, this is because the necessity to procreate imposed by the history of salvation prior to the appearance of the Messiah has

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[90] Thomas C. Oden, *The Promise of Barth: The Ethics of Freedom* (Philadelphia: J. B. Lippincott Company, 1969), p. 92.

[91] CD III/4, p. 116.

[92] CD III/4, p. 117.

[93] CD III/4, p. 141.

[94] CD III/4, p. 141.

> now fallen away. The holy sequence of generations has reached its goal in the birth of the Child, the Son, the Messiah, of the seed of David.[95]

Therefore, for the Christian community living since the birth of the Messiah, the question of posterity is not of the same importance as it was for the Israelites. This does not mean that procreation and marriage have lost their significance, but that marriage has received a 'new consecration'.[96] Marriage is no longer an institution for procreation, and it is no longer an obligation. Indeed, since the birth of Christ, marriage and love have been released as 'vital concerns in their own right and dignity'.[97]

Barth returns to these arguments in his discussion of the parent-child relationship. He emphasises that *post Christum natum* there is no moral obligation to have children. So, whereas in the Old Testament the people lived under the unconditional command of Genesis 1:28 to 'be fruitful and multiply', in the sphere of the New Testament message there is no general command to continue the human race, and so no moral obligation to procreate children. Therefore, although those who cannot have children will feel their lack to be 'a gap in the circle of what nature obviously intends for man, the absence of an important, desirable and hoped for good',[98] it cannot be said that their marriage is unfruitful. Barth states that *post Christum natum* 'the fruitfulness of marriage does not depend on whether it is fruitful in the physical sense'.[99]

Indeed, it is one of the consolations of the coming Kingdom that the anxiety about posterity and pressure to bear children has been removed 'by the fact that the Son on whose birth alone everything seriously and ultimately depended has now been born and has now become our Brother'.[100] This means that no one now needs to be conceived and born; 'we need not expect any other than the One of whose coming we are certain because He is already come.'[101] Therefore, the lack felt by those who cannot have children cannot

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[95] CD III/4, p. 143.
[96] CD III/4, p. 143.
[97] CD III/4, p. 200.
[98] CD III/4, p. 265.
[99] CD III/4, p. 266.
[100] CD III/4, p. 266.
[101] CD III/4, p. 266.

be a true or final lack because 'the Child who alone matters has been born for them too'.[102] Neither is their marriage incomplete for, since Christ's birth, marriage 'has its own dignity and right irrespective of whether it includes parenthood'.[103] Indeed, 'even sexual intercourse may have a first essential meaning simply in the fact that it is integral to the completion of marital fellowship.'[104]

However, if procreation is not a moral obligation *post Christum natum*, then how should we understand having children? Barth states that 'parenthood is now only to be understood as a free and in some sense optional gift of the goodness of God'.[105] In other words, having children is a freedom which is given to those who marry. It happens 'under God's longsuffering and patience' and is due to God's mercy that it may still take place in these 'last days'.[106] Again, Barth comments:

> That this may happen, that the joy of parenthood should still have a place, that new generations may constantly follow those which precede, is all that can be said in the light of the fact which we must always take into fresh consideration, namely, that the kingdom of God comes and this world is passing away.[107]

5.4.iii Birth control and the threat to the marital fellowship

According to Barth, therefore, that children are a freedom rather than a moral obligation means that birth control cannot be objected to on the basis that it prevents the continuance of the species under the command to 'be fruitful and multiply'. Yet, this does not mean that Christians need not be concerned for the maintenance of the human race. As Barth comments, there may be times and situations in which it is the responsibility of the Christian community to encourage 'either a people or section of a people which has grown tired of life, and despairs of the future, to the conscientious realisation that to avoid arbitrary decay they should make use of this merciful divine permission and seriously try to maintain the race'.[108] However, such encouragement will differ to that which Barth

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[102] CD III/4, p. 267.
[103] CD III/4, p. 269.
[104] CD III/4, p. 269.
[105] CD III/4, p. 266.
[106] CD III/4, p. 268.
[107] CD III/4, p. 266.
[108] CD III/4, pp. 268-9.

witnessed under the Nazi regime. He states that this 'most recent encouragement to the utmost possible procreation and increase of population had a definitely heathen and nationalistic character', and was 'intimately related to military aims and therefore the projected slaughter of whole masses of people'.[109]

Although no objection can be made to contraception on the grounds that there is an obligation to propagate the human race, Barth considers that it is in relation to the marital fellowship that such an objection can be maintained. As we have seen, Barth considers that this fellowship has a right and dignity irrespective of whether or not it includes children. However, 'sexual intercourse as the physical completion of life-partnership in marriage can always be, not merely human action, but an offer of divine goodness made by the One who even in this last time does not will that it should be all up with us.'[110]

In order to fully appreciate this point, we must recall how the determination of humanity as covenant-partners with God is significant for Barth. Firstly, insofar as the various different human relationships are the image of the *Deus Triunus*, Barth states that having children is 'the sign of the genuine creaturely confrontation in open differentiation and joyful relationship which is the image and likeness of the divine form of life'.[111] Secondly, given that men and women are covenant partners with God, whose actions bear the image of the *Deus triunus*, sexual intercourse is not simply a human action from which the command of God is excluded. Therefore, while the first essential meaning of the sexual act may be the love relationship of the partners, that is never the only meaning of the act. It includes the possibility of children, who are the 'offer of divine goodness'.[112] Barth continues:

> [...] Every act of sexual intercourse which is technically obstructed or interrupted, or undertaken with no desire for children, or even refrained from on this ground, is a refusal of this divine offer, a renunciation of the widening and enriching of married fellowship

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[109] CD III/4, p. 269.

[110] CD III/4, p. 269.

[111] Karl Barth, *Church Dogmatics*, trans. by J. W. Edwards and others, ed. by G. W. Bromiley and T. F. Torrance, 5 vols (Edinburgh: T&T Clark, 1958) III/i, pp. 190-1.

[112] CD III/4, p. 269.

> which is divinely made possible by the fact that under the command of God this fellowship includes sexual intercourse.[113]

There are a number of points here which need to be explored. To start, it is clear that children are a gift, a 'divine offer', given to the fellowship of marriage through the act of sexual intercourse. But in what sense can children be said to be a gift? Barth states that they 'widen and enrich' the married fellowship. Previously, in his treatment of the relationship between man and woman, Barth repudiates the idea that marriage is a private undertaking between two individuals. Instead, when marriage is seen in the light of the divine command, it 'must have the character of a responsible act outwards in relation to those around'.[114] Barth comments, 'marriage would not be marriage were it not for the willingness and readiness to undertake such active participation in the nearer, the more distant and the most distant events of the surrounding contemporary world.'[115] Therefore, by its very nature marriage looks outward beyond the couple and is a significant and fruitful partnership as it widens itself to serve others.

So, while Barth is clear that the life-fellowship of the spouses is sanctified by the command of God whether or not it includes children, the fact that marriage includes sexual intercourse means that having children is one of the ways in which the married fellowship can widen to include others. Indeed, while Barth is clear that marriage is not simply an institution for the upbringing of children, or only 'a basis and undeveloped form of the family',[116] because marriage is a full sexual communion, it implies an 'inner readiness for children'.[117] Therefore, to refuse the 'divine offer' of children, whether by obstructing the sexual act or by refraining from it, is to refuse to widen and enrich the married fellowship by broadening out to include others.

However, this does not mean that a husband and wife who have children can then be content that they have adequately widened their fellowship to others; they cannot then ignore their more distant and most distant neighbours. Yet neither does it mean that they can simply choose to extend their fellowship to their more distant neighbours instead of

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[113] CD III/4, pp. 269-70.
[114] CD III/4, p. 224.
[115] CD III/4, p. 225.
[116] CD III/4, p. 188.
[117] CD III/4, p. 189.

having children. The two forms of widening are not mutually exclusive. This is certainly the implication of Barth's claim that children can distract married couples from their commitment to the community at large. He states, 'children may be at least a serious threat to what man and wife should together mean in marriage for the surrounding world.'[118]

Furthermore, as Deddo comments, Barth may begin with the fellowship of man and woman, but from there he must expand to parents and children and from there to near and distant neighbours; 'these relationships are like concentric circles each more inclusive of others and all essential to human existence.'[119] To disrupt the pattern of these spheres of fellowship by refusing to be open to children will mean that the marital fellowship itself is threatened. Indeed, such is the significance of widening the fellowship to include children that Deddo asks, 'may not the refusal to include children in the relationship be a refusal to include others in it at all?'[120]

Barth does not give us any more details about the way in which children enrich the married fellowship, or about how the refusal to have children might threaten this fellowship. Hence, Deddo comments that Barth may not have said enough about the positive significance of procreation. He suggests that Barth may have correctly assumed that the readers of his day would 'quite easily fill the gap'.[121] However, Deddo also attempts to fill the gap himself by giving an account of the interpersonal dimensions of procreation in order to help contemporary readers, especially those troubled by the prospect of having children at all, to grasp the theological significance of procreation since the birth of Christ.[122]

Deddo also suggests that Barth leaves himself open to misunderstanding by not providing more details about the theological significance of the natural since it has been relativised by the birth of Christ.[123] Indeed, it is possible to see how there may be a danger

[118] CD III/4, p. 267.
[119] Gary W. Deddo, *Karl Barth's Theology of Relations - Trinitarian, Christological and Human: Towards an Ethic of the Family* (New York: Peter Lang, 1999), p. 228.
[120] Deddo, p. 231.
[121] Deddo, p. 226, footnote 14.
[122] Deddo, p. 226, footnote 14. Also see Deddo, p. 225, footnote 10, and pp. 347-351.
[123] Deddo, p. 350.

of thinking that the lack of moral obligation to procreate means that it is legitimate to permanently refuse to have children. However, on a closer reading, it is clear that while Barth acknowledges the distinct value of the married fellowship *post Christum natum*, he can never entirely separate it from the value of procreation. That the married fellowship includes sexual intercourse means that the possibility of parenthood is a 'natural consequence' and those who seek to exclude this natural consequence imperil their own marital fellowship.[124] Therefore, like Thielicke and Bonhoeffer, Barth proposes that the moral issue in contraception lies in the threat it poses to the meaning of marriage.

5.4.iv The responsible use of birth control

Given the threat posed to the marital fellowship by the use of birth control, Barth states:

> The exercise of this freedom must have valid reasons if the gravity of this renunciation and the seriousness of this threat are to be dispelled, and what one does is therefore to be done with a clear conscience.[125]

Birth control should only be employed if a valid reason supports its use. Hence, 'all frivolity and expediency are excluded.'[126] A husband and wife will therefore need to carefully examine their reasons for using birth control and to make sure that they use it with 'a sense of responsibility to God, and not out of caprice'.[127]

Thus, regardless of the method of birth control used, it is the reason for its use which is morally significant. Indeed, Barth says that all methods of birth control (including sexual restraint, the use of the safe period, and *coitus interruptus*) are equally 'painful, troublesome and we may say unnatural or artificial'.[128] Since all methods are costly in different ways, Barth, like Thielicke and Bonhoeffer, states that no one method can necessarily be preferred over the others. Barth does suggest principles for deciding which birth control method to use (for example, it must be a mutual decision, and the

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[124] CD III/4, p. 270.
[125] CD III/4, p. 270.
[126] CD III/4, p. 270.
[127] CD III/4, p. 270.
[128] CD III/4, p. 273.

husband must bear the heavier burden),[129] but it is not possible to morally differentiate between the methods beyond these principles.

If, as Barth suggests, all the various birth control methods have the character of human arrangement and so are in some sense artificial, the use of mechanical or chemical means of contraception cannot be condemned because they are so obviously artificial. Rather, these methods are 'evil' when used 'for reasons of self-seeking, pleasure-seeking or expediency'.[130] Furthermore, not only are the other non-mechanical or non-chemical methods of birth control 'no less evil when they are adopted for these reasons', but a failure to use birth control is also evil 'if this is grounded in self-seeking, pleasure-seeking or expediency'.[131] In other words, whether birth control is used to exclude the possibility of having children, or it is not used in order to encourage the possibility of children, when this is motivated by frivolous or expedient reasons, it is wrong. In his emphasis on the motive with which contraception is used, we find Barth concurring with resolution 15 of the 1930 Lambeth Conference.[132] This resolution condemned the 'use of any methods of conception-control from motives of selfishness, luxury, or mere convenience'.[133]

Any use of birth control is therefore to be a responsible action, and 'as a responsible action it must and will be a decision between Yes and No'.[134] Hence, like Thielicke and Bonhoeffer, Barth argues that these matters should not simply be left to 'pot luck', as if divine providence and the course of nature are identical.[135] Couples are not to dispense with rational reflection as they consider whether or not they may try to have a child, for the providence of God in the course of nature 'has in each case to be freshly discovered by the believer who hears and obeys His word, and apprehended and put into operation by him in his personal responsibility, in the freedom of choice and decision'.[136]

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[129] CD III/4, p. 276.

[130] CD III/4, p. 275.

[131] CD III/4, p. 275.

[132] CD III/4, p. 275.

[133] Resolution 15 of the 1930 Lambeth Conference, in *The Lambeth Conferences, 1867-1948: The reports of the 1920, 1930 and 1948 conferences with selected resolutions from the conferences of 1867, 1878, 1888, 1897 and 1908* (London: SPCK, 1948), p. 166. See p. 30.

[134] CD III/4, p. 270.

[135] CD III/4, p. 271.

[136] CD III/4, p. 271.

However, Barth states that the obvious danger in exercising intelligent reflection in the decision to have a child is the possibility of error. Here, as in any action which needs a responsible decision, there is the possibility of failing to follow the command of God. However, while intelligent reflection involves taking this risk, this is preferable to 'an unthinking *laissez faire*' approach to the matter.[137]

If the moral considerations associated with birth control centre upon the reason for its use, Barth considers that the intelligent reflection of couples in this matter should begin with whether or not the child can be received in faith as a 'promise'. Barth describes the faith of a couple which is characterised by a 'homely and courageous confidence in life'.[138] In this situation, the husband thinks that he is entitled to expect his wife to endure the ordeal of giving birth to children, while the wife is able to accept this prospect 'not merely as a threat but also as a promise', and both of them believe that they are able to cope with the task imposed by having children. If this is the case, then they should 'seek to have a child in the name of God'.[139] As Deddo observes, the decision is primarily based on faith and arises out of the covenantal relationship between God and each individual partner. Out of this covenant communion with God flows the covenant relationship of husband and wife, who act in mutual responsibility. Thus, in this decision we see how the marriage relationship images the covenant relationship between God and his people.[140]

When a couple decides in faith to seek to have a child, birth control has a positive connotation. For, 'birth control can also be the conscious and resolute refusal in faith of the possibility of refusing, i.e., the joyful willingness to have children and therefore to become parents.'[141] In other words, birth control can also mean making a free and responsible decision in faith to seek to have a child. This is very different to letting nature simply run its course, which is an attitude quite opposed to the positive connotation of birth control. However, Barth recognises that faith does not always produce such 'cheerful

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[137] CD III/4, p. 271.
[138] CD III/4, p. 272.
[139] CD III/4, p. 272.
[140] Deddo, p. 234.
[141] CD III/4, p. 272.

confidence in life'.[142] Indeed, the husband may not think that he can expect his wife to endure childbirth, while the wife may not be able to receive conception as a 'promise', and they both may feel that they cannot assume responsibility for a child.

Barth does not explore in any detail the reasons why a couple may not be able to desire a child in faith. He mentions the physical and psychological health of the wife and the threat to the marital fellowship were they to have a child despite serious reasons against it. He also states that the reason must not be a pretext for expediency and frivolity.[143] However, while Barth does not provide detailed reasons to justify a decision not to have a child, we should note the negative tone of the reasons he does state. If a child is to be excluded, it must be perceived as a threat, either to the health of the mother or to the marital fellowship. So, Barth does not mention potentially positive reasons for excluding children. For example, he does not state that one may exclude children in order to have more time to serve one's more distant neighbours. This may be a freedom available to those who cannot have children, but it is not a justifiable reason for people to voluntarily exclude them.

Finally, like Thielicke, Barth detects in the modern increase of the use of birth control 'a certain degeneration and impoverishment of faith'.[144] Deddo notes that Barth is led to attribute the decrease in positive decisions to have children to a lack of faith in God. The irony of the modern situation is that living conditions have materially improved but there is less confidence in life.[145] Deddo continues, 'it is not birth control itself that is the essential issue or concern for Barth, but rather, what is the spiritual orientation of persons who are making use of the technique and technology of birth control'.[146]

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[142] CD III/4, p. 272.
[143] CD III/4, pp. 272-3.
[144] CD III/4, p. 272.
[145] Deddo, p. 235.
[146] Deddo, p. 235.

5.4.v Conclusion

To summarize, according to Barth's Christological interpretation of the purpose of procreation, there is no longer a moral obligation to have children. Given that the command of God is essentially about permission and freedom, it is not that couples *must* have children, but that they *may* have children. Hence, when there is a serious reason to exclude the possibility of children, the use of contraception is permissible. However, excluding them for frivolous or expedient reasons is to jeopardise the marital fellowship, the enrichment of which depends upon widening the relationship to include others. What is of utmost importance in the decision to have or not to have children is that it is made in faith and responsibility before God.

5.5 Paul Ramsey

It is appropriate to follow our examination of Barth's treatment of contraception by outlining the work of Paul Ramsey, an American Methodist, because their theological approach to the subject is similar. So, in his article on Augustine's sexual ethics, entitled 'Human Sexuality in the History of Redemption',[147] Ramsey also proposes that there can be no general obligation to have children since the birth of Christ. Elsewhere, Ramsey treats the relationship between the unitive and procreative meanings of the sexual act. In *One Flesh*,[148] he examines this relationship in the context of addressing the question of sex within, outside and before marriage. In 'The Covenant of Marriage and Right Means'[149]

he examines the relationship in the context of commenting on the place of genetic therapy within marriage. To a large extent these articles overlap and from them we can appreciate Ramsey's moral concerns about the use of contraception. Furthermore, Ramsey's terms of reference in these articles bring his discussion of contraception very close to the Roman Catholic debate. We will examine these articles after we have considered his article on Augustine.

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[147] Paul Ramsey, 'Human Sexuality in the History of Redemption', *The Journal of Religious Ethics*, 16 (1988), 56-86.
[148] Paul Ramsey, *One Flesh: A Christian View of Sex Within, Outside and Before Marriage* (Bramcote, Notts: Grove Books, 1975).
[149] Paul Ramsey, 'The Covenant of Marriage and Right Means', in *The Essential Paul Ramsey: A Collection*, ed. by W. Werpehowski and S. D. Crocco (London: Yale University Press, 1994).

5.5.i Human sexuality in the history of redemption

Like Barth, Ramsey argues that since the birth of Christ there is no longer a moral obligation to have children. To make this argument, Ramsey examines Augustine's understanding of human sexuality across the history of creation, fall and redemption. This provides a Christological eschatology from which to understand the purpose of procreation. Now, we shall note briefly the central tenets of Augustine's argument, and Ramsey's commentary on Augustine.

Augustine argues that before the birth of Christ, the saints were obliged to propagate the people of God 'through whom the Prince and Saviour of all peoples might be both prophesied and born'.[150] Procreation was necessary in order to continue the line from which Christ might be born; it was 'an important duty because of the need to generate and preserve the people of God in whom Christ's coming had first to be announced'.[151] Therefore, the Patriarchs were allowed many wives for the work of propagating the race. That this work was motivated by obedience and pious desire, rather than by concupiscence of the flesh, is evident from the fact that 'although holy men were allowed to have several wives at the one time, holy women were not allowed also to have union with more than one husband. That would not have made them more fertile, and the more they hungered for it, the more debased they would have been.'[152]

According to Augustine, the birth of Christ has relativised the purpose of procreation. It remains one of the goods of marriage, but it is now a carnal good rather than a spiritual good. Neither is it obligatory, for since the birth of the Saviour, salvation does not depend on generation, but on regeneration. Augustine states, 'the members of

[150] Augustine, 'The Good of Marriage', in *Treatises on Marriage and Other Subjects*, ed. by Roy J. Deferrari, Fathers of the Church Series, 27 (Washington, D.C.: The Catholic University of America Press, 1955), pp. 9-51 (p. 22).
[151] Augustine, 'Marriage and Desire', in *Answer to the Pelagians II*, trans. by Roland J. Teske, general editor John E. Rotelle, The Works of St. Augustine: A Translation for the 21st Century, 1/24 (New York: New City Press, 1998), pp. 28-96 (p. 37).
[152] Augustine, 'The Excellence of Widowhood', in *Marriage and Virginity*, trans. by Ray Kearney, ed. by David G. Hunter, general editor John E. Rotelle, The Works of Saint Augustine: A Translation for the 21st Century, 1/9 (New York: New City Press, 1999), pp. 113-136 (p. 118).

Christ can be gathered from every race of men and from all nations into the people of God and the city of the kingdom of heaven.'[153] Augustine therefore proposes that because human society does not now have need of marriage or procreation, it is better to remain celibate. He is not suggesting that marriage and procreation are evil, or that procreation has entirely lost its significance, but because it has lost its ultimate significance (the birth of THE child, Jesus), virginity is a superior good to marriage.[154]

Ramsey suggests that this treatment of human sexuality is significant because Augustine recognises that human existence is historical existence. He comments that Augustine's 'attempt to affirm, however fancifully, the historicity of sexuality and its varying significance in different periods, at least takes sexuality seriously as a *human* thing, moving, as is mankind, toward some meaningful end'.[155] In other words, Augustine recognises that human sexuality has a *telos* in Christ. It is not 'imbedded in unchanging non-historical nature'.[156] Neither is sexuality non-historical while the person is historical; indeed, 'that would be the most consummate dualism, for it would mean that man himself goes on toward his appointed end [...], while human sexuality remains, beside or beneath all this, in its eternal rounds forever of the same insignificant significance.'[157] Instead, according to Ramsey, Augustine's proposal that sexuality had a purpose prior to the birth of Christ which is no longer imperative afterwards, 'bridges all dualistic gulfs and asserts that sexuality belongs on the very way mankind is going.'[158]

Hence, Augustine's treatment of sexuality is significant because he provides us with a Christological eschatology from which to understand the purpose of procreation. Ramsey comments:

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[153] Augustine, 'Holy Virginity', in *Treatises on Marriage and Other Subjects*, ed. by Roy J. Deferrari, Fathers of the Church Series, 27 (Washington, D.C.: The Catholic University of America Press, 1955), pp. 143-212 (p. 152).

[154] Augustine, 'Holy Virginity'; also see Augustine, 'The Excellence of Widowhood', pp. 118-120.

[155] Ramsey, 'Human Sexuality, p. 75.

[156] Ramsey, 'Human Sexuality, p. 75.

[157] Ramsey, 'Human Sexuality, p. 75.

[158] Ramsey, 'Human Sexuality, p. 75.

> Without this or some equally confident Christological eschatology Christian theology pales into an affirmation of the goodness of sexual life and endless progeneration on the authority of Genesis and under the first article of the creed. Knowledge of the creation, and the significance of sexuality, is given status wholly independent of the history of redemption, which has rather to do with the 'spiritual' ends of mankind. In contrast to these views, it can be said that Augustine understood the creed to be a 'Christological concentration'. The beginning was understood by him from the End who had appeared in the midst of history. And this included his interpretation of the history of sexuality.[159]

Therefore, following Augustine, Ramsey suggests that the purpose of procreation cannot be seen in isolation from the history of redemption. Ramsey, like Barth, affirms that the birth of Christ relativises the Genesis command to 'be fruitful and multiply', so there is no longer a moral obligation to have children. However, this certainly does not mean that Ramsey has no moral concerns about the use of contraception.

5.5.ii The epistemological basis for the unity of the procreative and unitive ends

In his articles which discuss the relationship between the unitive and procreative ends, Ramsey, of all the Protestant theologians we have examined, engages most directly with the Roman Catholic arguments against contraception. Like the Roman Catholic theologians, Ramsey argues that the sexual act tends to both procreation and the fostering of the marital communion. He states:

> An act of sexual intercourse is at the same time an act of love and a procreative act. This does not mean that sexual intercourse always in fact nourishes love between the parties or always engenders a child. It simply means that it *tends*, of its own nature, toward the strengthening of love (the unitive or communicative good), and toward the engendering of children (the procreative good).[160]

Before we proceed to examine whether or not Ramsey considers that it is licit to separate the unitive and procreative ends, it will be helpful to establish the epistemological basis upon which he claims that the two ends belong together in the sexual act. In contrast to the Roman Catholic arguments we examined in the previous chapters, Ramsey denies that the source of the Christian knowledge about the sexual act is any form of natural law. Instead:

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[159] Ramsey, 'Human Sexuality, p. 82.

[160] Ramsey, 'The Covenant of Marriage', p. 137; cf. Ramsey, *One Flesh*, p. 4.

> The Prologue of John's Gospel (not Genesis) is the Christian story of creation which provides the source and standard for responsible procreation, even as Ephesians 5 contains the ultimate reference for the meaning and nature of conjugal love and the standard governing covenants of marriage. Since these two passages point to one and the same Lord - the lord who presides over procreation as well as the lord of all marital covenants - the two aspects of human sexuality belong together.[161]

Therefore, it is from the revelation of Jesus Christ that we know of the co-existence of the two ends of the sexual act. Indeed, it is from God's very own act of creation that we can understand the nature of human procreation. For God created the world and all creatures out of His love. Although we cannot fully understand this mystery, in human procreation in the context of love, 'there is a trace of the original mystery by which God created the world because of His love.'[162] Therefore, it is because God created nothing apart from His love that there should be no human sexual love which is outside of the context of responsibility for procreation, and no procreation apart from love.

Hence, it is not from the facts of nature, or from the first article of the Creed, that we know of the two ends which belong together in the sexual act. Instead, it is from the second article of the Creed.[163] Ramsey continues, 'men and women are created in covenant, to covenant, and for covenant. Creation is *toward* the love of Christ. Christians, therefore, will not readily admit that the energies of sex, for example, have any other primary *telos*, another final end, than Jesus Christ.'[164] So, the *telos* of the unitive end is the nurturing of the covenant love between the parties, as prefigured by Christ's love for the Church, whereas 'God's own act of creation out of the profound mystery of his love revealed in Christ'[165] is prefigured in human procreation arising from sexual love. Hence, to radically separate the procreative and the unitive ends is to refuse 'the image of God's creation in our own'.[166]

Furthermore, in accordance with his Christological perspective on the purpose of procreation, Ramsey argues that sexual intercourse is very much included in the meaning of creation for covenant, as revealed in Jesus Christ. It is unacceptable to see the moral

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[161] Ramsey, 'The Covenant of Marriage', p. 141; cf. Ramsey, *One Flesh*, p. 14ff.
[162] Ramsey, 'The Covenant of Marriage', p. 141; cf. Ramsey, *One Flesh*, p. 14.
[163] Ramsey, 'The Covenant of Marriage', pp. 141-142.
[164] Ramsey, 'The Covenant of Marriage', p. 142; cf. Ramsey, *One Flesh*, p. 15.
[165] Ramsey, 'The Covenant of Marriage', p. 142; cf. Ramsey, *One Flesh*, p. 15.
[166] Ramsey, 'The Covenant of Marriage', p. 142; cf. Ramsey, *One Flesh*, p. 15.

implications of Christ's love for his bride, the church, only in spiritual terms. Ramsey states, 'Christ-like love does not exhaust itself in perfecting the spirits of men and women. It is incarnated love which perfects also their unity in the flesh.'[167] Therefore, the act of sexual intercourse, which expresses and nurtures the one flesh unity, 'cannot be excluded from the meaning of creation or from the meaning of *creation for covenant* as these are revealed in Jesus Christ, *to whom* the whole realm of human sexuality and its passion was also created.'[168]

5.5.iii The unity of the procreative and unitive ends

Although Ramsey is more than aware of the 'celebrated debate' about whether the unitive or the procreative end is primary, he suggests that this is not the crucial question. [169] Instead, the crucial question is whether it is licit to separate the two ends. He asks, 'ought men and women ever to put entirely asunder what God joined together in the covenant of the generating generations of mankind?'[170] Even if one considers that it is the unitive end which is of greatest significance, 'there still remains the question whether, in what sense, and in what manner intercourse as an act of love should ever be divorced from sexual intercourse as in and of itself procreative.'[171]

Ramsey suggests that there are many modern 'myths of creation' which attribute value and importance to the unitive end while dismissing any connection with the procreative end. Such a myth effectively rewrites Genesis to tell of the creation of humanity with two separate faculties. He states, 'sex serves the single end of manifesting and deepening the unity of life between the partners, while human offspring are born from the woman's brow and somehow impregnated through the ear by a cool, deliberate act of man's rational will.'[172] Ramsey recognises how this myth presupposes the use of contraception. It also assumes that anything which can be technically done to dominate the processes of procreation should be done, in order to promote the desired

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[167] Ramsey, *One Flesh*, p. 16.
[168] Ramsey, *One Flesh*, pp. 15-16.
[169] Ramsey, *One Flesh*, pp. 7-8.
[170] Ramsey, 'The Covenant of Marriage', p. 138; cf. Ramsey, *One Flesh*, p. 8.
[171] Ramsey, 'The Covenant of Marriage', p. 138; cf. Ramsey, *One Flesh*, p. 8.
[172] Ramsey, 'The Covenant of Marriage', p. 141; cf. Ramsey, *One Flesh*, p. 10.

consequences. However, Ramsey suggests that the fact that acts of sexual love and acts of procreation *can* be completely separated does not mean that they *should* be separated.[173] Indeed, even though effective contraception is now available, this has not altered the fact that 'acts which of themselves tend to strengthen bonds of love also tend to the production of children'.[174]

According to Ramsey, therefore, because the sexual act in its very nature tends towards both the nurture of the personal relationship and the procreation of children, attempts to completely separate the two ends threaten the nature of human parenthood. Ramsey states that any ethic which '*in principle* sunders these two goods - regarding procreation as an aspect of biological nature to be subjected merely to the requirements of *technical* control while saying that the unitive purpose is the free, human, personal end of the matter - pays disrespect to the nature of human parenthood'.[175]

However, it is not only the specifically human nature of parenthood which is threatened by the complete sundering of the two ends, but also the very meaning of marriage. Like the other Protestant theologians, Ramsey proposes that the procreation of children is integral to marriage and marital acts. Ramsey states:

> [...] Marriage means a mutual and exclusive exchange of the right to acts which in themselves tend to the expression and strengthening of love and to the procreation of children. It consists in a covenant whose matter is the giving and the receiving of acts which tend both to unique one flesh unity between the partners and to the unique one flesh of the child beyond them. [176]

Hence, a complete sundering of the procreative and the unitive ends threatens the meaning of marriage itself.

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[173] Ramsey, *One Flesh*, p. 13.
[174] Ramsey, *One Flesh*, p. 10.
[175] Ramsey, 'The Covenant of Marriage', p. 138.
[176] Ramsey, *One Flesh*, p. 13.

5.5.iv Birth control and one flesh unity

The question, therefore, is whether the use of contraception so completely separates the unitive and the procreative ends of sexual intercourse that it threatens the nature of human parenthood and the meaning of marriage. Ramsey recognises that when a husband and wife use contraception they separate the sex *act* as an act of love from any potential of the act for procreation. However, he continues:

> But they do *not* separate the sphere or realm of their personal love from the sphere or realm of their procreation, nor do they distinguish between *the person* with whom the bond of love is nourished and *the person* with whom procreation may be brought into exercise. One has only to distinguish what is done in particular *acts* from what is intended, and done, in a whole series of acts of conjugal intercourse in order to see clearly that contraception need not be a radical attack upon what God joined together in the creation of man-womanhood.[177]

In the previous chapters of this thesis, we identified some potential difficulties with the position of the Roman Catholic theologians who oppose the use of contraception. In particular, we objected to their insistence that each individual sexual act must be open to procreation. With these difficulties in mind, Ramsey's distinction between what is done in particular acts and what is done in a whole series of acts is especially significant. He appears to be suggesting that an approach which restricts itself to the moral analysis of the individual sexual act is inadequate because it ignores a whole number of other factors which are morally significant.

Hence, following Ramsey's line of argument, Oliver O'Donovan remarks that the problem with *Humanae Vitae* was that 'it seemed not to perceive the difference of structure between sexual relations in marriage and simple fornication'.[178] He continues that the insistence that marriage can be analysed as a whole series of particular acts of sexual intercourse, 'carried with it an unwitting but unmistakable hint of the pornographic.'[179] O'Donovan states:

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[177] Ramsey, 'The Covenant of Marriage', pp. 138-139; cf. Ramsey, *One Flesh*, pp. 8-9.
[178] Oliver O'Donovan, *Resurrection and Moral Order: An Outline for Evangelical Ethics*, 2nd edn (Leicester: Apollos, 1994), p. 210
[179] O'Donovan, p. 210.

> A married couple do not know each other in isolated moments or one-night stands. Their moments of sexual union are points of focus for a physical relationship which must be properly predicated of the whole extent of their life together. Thus the virtue of chastity as openness to procreation cannot be accounted for in terms of a repeated sequence of chaste acts each of which is open to procreation. The chastity of a couple is more than the chastity of their acts, though it is not irrespective of it either.[180]

In contrast to the Roman Catholic approach, Ramsey and O'Donovan seem to be suggesting that the nature of the sexual and procreative life within marriage is such that it cannot be reduced to a series of particular acts but is only comprehensible in its totality. Hence, in their view, the use of contraception in a marriage which will become, or has become, procreative, does not radically sunder the unitive and the procreative ends. Ramsey states, 'where planned parenthood is not planned *un*parenthood, the husband and wife clearly do not tear their own one-flesh unity completely away from all positive response and obedience to the mystery of procreation - a power by which at a later time their own union originates the one flesh of a child.'[181]

Here we can see the importance of distinguishing between permanent and temporary use of contraception. A permanent exclusion of the possibility of children radically sunders the two ends, whereas, a temporary use respects the unity of the two ends within the marriage as a whole. However, according to Ramsey, even a permanent use of contraception does not necessarily tear the one flesh unity. This will depend upon there being sufficient reason to justify the permanent exclusion of children. Along with the reasons Ramsey views as widely acceptable (the threat of pregnancy to the mother's health, prohibitive financial circumstances, world overpopulation), he is also keen to add voluntary eugenic decisions for the sake of future generations.[182]

Ramsey argues that a husband and wife who have sufficient reason to use contraception permanently preserve their one flesh unity if they are 'resolved to hold acts of procreation, (even the procreation they have not, or have no more) within the sphere of conjugal love, within the covenant of marriage'.[183] In other words, the one flesh unity is preserved by the fact that if either marriage partner has a child, or more children, they are

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[180] O'Donovan, p. 210.

[181] Ramsey, 'The Covenant of Marriage', p. 139; cf. Ramsey, *One Flesh*, p. 8.

[182] Ramsey, 'The Covenant of Marriage', p. 139.

[183] Ramsey, 'The Covenant of Marriage', p. 140.

committed to doing so within the one-flesh unity of the marriage and not apart from it; they would not have children by private arrangement with a lover or a mistress.[184]

Therefore, according to Ramsey, permanent use of contraception does not necessarily sunder one flesh unity because the husband and wife hold together the sphere or realm of their procreation, even the procreation they have not, and the sphere or realm of their personal love. Ramsey states, 'through a whole course of life they actually unite their loving and their procreativity (which, incidental to this, they have not).'[185] In this, the couple honours the 'union between love and creation at the heart of God's act toward the world of His creatures, and they honour the image of this union in the union of love with procreativity in their own man-womanhood'.[186]

Recently, this line of argument has been challenged by Dave Leal in an article on Grisez's contralife argument.[187] Leal comments that O'Donovan objects to 'certain expressions of the Catholic attitude towards contraceptive intercourse' because they 'threaten an individuating of sexual acts'. However, Leal suggests that O'Donovan's own approach, which sees 'the whole marriage as the context for a history of sexual intercourse', faces an opposite danger.[188] In order to highlight this danger, Leal cites the example of couples who, having decided to 'start a family', stop using contraception. He states that the common experience of such couples is that their sexual intercourse takes on a kind of either/or quality: '*now* it is for the sake of possible children (and must be suitably rationed to ensure quality and quantity of sperm); *once* it was for fun, maybe, or because something was desired which may have been the spouse but may just as easily have been the act of sexual intercourse objectified.'[189] Leal therefore objects that, *pace* O'Donovan, 'there is no "broad view" of the couple's sexual life which is the bearer of the good'.[190]

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[184] Ramsey, *One Flesh*, p. 9.
[185] Ramsey, 'The Covenant of Marriage', pp. 144-145.
[186] Ramsey, 'The Covenant of Marriage', p. 145.
[187] Dave Leal, 'Respect for Life in Germain Grisez's Moral Theology', in *The Revival of Natural Law: Philosophical, Theological, and Ethical Responses to the Finnis-Grisez School*, ed. by Nigel Biggar and Rufus Black (Aldershot: Ashgate, 2000), pp. 203-222 .
[188] Leal, p. 214
[189] Leal, p. 215.
[190] Leal, p. 214.

We might wish to concur with Leal that in a society which takes contraception for granted as a basic given of the sexual life, we have learnt to think about sexual acts as having an either/or quality. However, that we have learnt to objectify sexual acts in this way does not mean that this is the right way to think about them. Indeed, to regard sexual acts in this way appears to be in danger of falling into the same difficulty as the Roman Catholic position, which seems to regard individual sexual acts as if they have no past or future reference, and treats them in isolation from their context in time and history. This is exactly the problem that Ramsey and O'Donovan are trying to overcome by arguing that the sexual life within a marriage can only be understood in its totality.

We can now begin to see how the Ramsey/O'Donovan view is quite different to a proportionalist position in favour of contraception. This is clarified when Ramsey describes the way in which he considers Paul VI to have misunderstood the position he wanted to reject. Ramsey quotes Paul VI's rhetorical question, 'could it not be admitted, [...], that the finality of procreation pertains to the ensemble of conjugal life, rather than to its single acts?'[191] In response to which Ramsey comments:

> That one word *ensemble* betrays the fact that for the pope the only alternative to holding the procreative and the communicative goods or 'finalities' together in every single act was to hold them together in a whole series of single acts - in ensemble, first one and then the other, in a couple's conjugal life. That is still too much bound by single-act analysis. It is quite another thing to say that the nurturing of love and the transmission of life (even when the latter is limited) are to be held together *within the covenant of marriage*, with the *person* with whom one has made marriage-covenant.[192]

In other words, Paul VI mistook all of his opponents to be proportionalists who proposed that contracepted sexual acts could be justified within the life of a marriage. One of the problems with such a view is that it reduces the personal relationship to a whole series of individual acts. However, Paul VI failed to see that there may be a rather different argument in favour of contraception, one which is concerned to understand the meaning of the sexual act within the context of the covenant of marriage. According to this argument, contraception is permissible provided 'Christian ethics is no longer restricted to the analysis of individual *acts* and is concerned instead with the coincidence

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[191] HV 3.

[192] Ramsey, 'The Covenant of Marriage', p. 146, footnote 7.

of the *spheres* of personal sexual love and of procreation (the spheres to which particular actions belong)'.[193]

Essentially, therefore, Ramsey seems to be suggesting that we should not think about the problem of contraception in relation to single acts, but rather in relation to the totality of married life. Indeed, Ramsey suggests that if Roman Catholic theology was able to shift from the analysis of individual sexual acts to concentrating on how the unitive and procreative ends are held together in the sphere or realm of marriage, they would have the theological-ethical grounds for the approval of the use of contraception. He states, 'if the order of marriage (with the goods that should be held together *between the parties*) comes to the fore in Catholic moral reasoning, artificial contraception will be warranted generally, where there is sufficient reason for controlling reproduction.'[194]

5.5.v Conclusion

In conclusion, the essence of Ramsey's argument is that, within a Christological perspective on the purposes of procreation, there is no longer a moral obligation to have children. However, that the unitive and procreative ends belong together in the one flesh unity of marriage, and should not be radically put asunder, is revealed to us through God in Christ. Yet, given Ramsey's understanding of the nature of marriage (in which it is not the holding together of love and procreation in individual acts which is morally significant, but the way in which they are held together within the marriage relationship as a whole), the use of contraception does not necessarily tear the one flesh unity of marriage, and is therefore morally licit.

5.6 Conclusion: Two moral guidelines which should govern use of contraception

In our previous chapters we objected to the Roman Catholic proposal that all use of contraception is illicit. However, that we do not consider contraception to be wholly illicit does not mean that there are no moral concerns about its use, as this chapter has demonstrated. According to the four Protestant theologians we have examined,

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[193] Ramsey, 'The Covenant of Marriage', p. 144.
[194] Ramsey, 'The Covenant of Marriage', pp. 145-146.

contraception is not intrinsically wrong, but its use is always accompanied by serious moral considerations. We will now conclude this chapter by drawing together some of the primary moral considerations about the use of contraception which have been raised. In so doing, our attention will not be with the differences between these theologians, but with the key moral concerns which are raised by a broad overview of their arguments. We can summarize these concerns in two moral principles which might govern the use of contraception:

i) Willingness to have children is essential to the nature of marriage

ii) Contraception should be not be used without moral consideration

5.6.i Willingness to have children is essential to the nature of marriage

This key moral principle is broadly held in common by all the Roman Catholic and Protestant theologians we have so far examined in this thesis. We have seen how both John Paul II's argument and the Grisez School's contramarital argument propose that marriage is to be a personal communion characterised by the self-giving of the spouses, which will only be truly fulfilled if this self-giving includes openness to procreation. While not all of the Protestant theologians take this exact line of argument, we have seen that they also reach the conclusion that a willingness to have children is essential to the nature of marriage.

All of the Protestant theologians agree that procreation is a blessing of marriage which should not be refused lightly. That marriage includes sexual intercourse means that children are a gift specifically given to the marital fellowship. However, since the birth of Jesus Christ, procreation can no longer be regarded as a moral obligation imperative upon all couples. Even so, while having children has lost its ultimate significance, it has not lost its entire significance; children remain a blessing of marriage. Procreation, therefore, is a freedom, but a willingness to have children remains essential to the nature of marriage.

Yet, none of the Protestant theologians elaborate on *how* children are a blessing to marriage in much detail. It may well be that the goodness of having children is something

they take for granted. They are all clear, however, that children fulfil and enrich the married fellowship. For Barth, children enrich the marital fellowship by causing it to widen and extend itself to others. This widening is a fulfilment of the very nature of marriage, which was never intended to be an inward-looking arrangement between two people, but an outward-looking community which includes others in its fellowship. It is very difficult to fulfil the nature of marriage as an outward-looking community without the willingness to have children.

Therefore, it is primarily the meaning of marriage which is threatened when children are deliberately excluded from the fellowship. This is not to say that the subjective experience of marital intimacy will necessarily suffer if children are excluded, but that the objective meaning of marriage as an outward-looking fellowship will be threatened if there is a lack of willingness to have children.

However, in contrast to the Roman Catholic arguments, the Protestant theologians propose that the willingness to have children is compatible with the use of contraception. Indeed, the Protestant theologians argue that while an openness to having children is essential to the nature of marriage, this does not mean that every act of sexual intercourse must be open to procreation. In their view, the use of artificial contraception to responsibly limit births is not an attack upon the nature of marriage.

It is Ramsey who is particularly helpful in enabling us to appreciate that the use of contraception does not always tear the one flesh unity which is at the heart of the married fellowship. This is because it does not tear the sphere or realm of procreation from the sphere or realm of personal love. Following Ramsey's line that moral analysis should be primarily concerned with the wider sphere of the marriage relationship as a whole, rather than with individual sexual acts, we can grasp how the one flesh unity of marriage can be protected when contraception is used.

5.6.ii Contraception should not be used without moral consideration

In the course of this thesis, we have so far suggested that although contraception is not wholly illicit, neither is it a matter of moral indifference. Indeed, these Protestant theologians argue that its use should always be supported by serious reasons. However, none of them seem to explore in any detail reasons which might justify the use of contraception. Given that a willingness to have children is essential to the nature of marriage, they are clear that any use of birth control for expedient or frivolous reasons is not permissible. However, couples also have freedom of conscience to discern the serious reasons from the expedient reasons. It is perhaps interesting to note that although Thielicke hints at a possible positive reason for the permanent exclusion of children (when a woman's work takes the form of a 'calling'), all of the other reasons cited for the acceptable use of contraception are negative; for example, when a child will threaten the mother's health or jeopardise the married fellowship.

In summary, to use Barth's phrase, there must be serious reasons why a child cannot be accepted as a 'promise'. When a child is perceived as a threat, rather than a promise, the use of birth control is permissible. Indeed, in such a case, its use may not only be permissible, but obligatory. However, what is of utmost importance is that the decision to exclude children is made in faith and in responsibility before God.

5.6.iii Summary

Therefore, at the end of this chapter, we find ourselves with a conclusion which is not too dissimilar to that which was reached by the 1930 Lambeth Conference: contraception is licit but its use should be supported by serious reasons. However, while we suggested that the reasoning of the Lambeth Conference was, at best, opaque, these Protestant theologians have provided a coherent theological rationale to support this conclusion.

Insofar as these Protestant theologians have enabled us to appreciate that while the use of contraception is not wholly illicit there are moral concerns about its use, their contribution has proved to be significant. However, these Protestant theologians chiefly

focus on the serious reasons which they take to be necessary to justify the use of contraception. In the introduction to this thesis, we suggested that the majority of people in contemporary society are morally indifferent to contraception. In other words, they no longer consider it necessary to justify their use of contraception with serious reasons. If this is the case, then we might need to find an alternative way forward for the debate on contraception, one which attempts to move it beyond the contribution of the Protestant theologians. In the final chapter, we will suggest that one possible way of doing this may be to develop a positive case for the good of having children. Hence, it will broaden out into a wider discussion and theological critique of contemporary attitudes towards having children, from which the beginnings of this positive case may be found.

Chapter Six

Life Together:

A Theological Perspective on the Good of Procreation

6.1 Introduction

This thesis has proposed that, in the main, there are two different approaches to contraception in contemporary society: either it is viewed with moral indifference, or it is considered to be illicit. So far, we have suggested that both approaches may be mistaken. In light of our engagement with the arguments of John Paul II and the Grisez School, we suggested that contraception is not wholly illicit. Yet neither is it a matter of moral indifference; our examination of the Protestant theologians highlighted that there are properly ethical considerations about its use.

However, at the end of chapter five we also suggested that the Protestant theologians may only provide us with limited help in thinking about the question of contraception within the current climate of moral indifference about its use. This is because their chief focus is on the serious reasons which they understand to be necessary to justify the use of contraception, which is hardly a pressing concern for the majority of people today. Therefore, it may be necessary to attempt to move the debate on beyond the contribution of the Protestant theologians. One way of doing this may be to begin to develop a positive case for the good of having children. This chapter will therefore attempt to engage theologically with contemporary attitudes towards having children, from which a positive case for this good may start to emerge.

Contemporary attitudes towards contraception are very different to those held at the beginning of the twentieth century. In our first chapter, we saw how the Lambeth Conference of 1930 considered that the use of contraception, though licit in principle, should be justified by serious reasons. In the previous chapter, we saw how this was also the basic position of Thielicke, Bonhoeffer, Barth and Ramsey. In contrast, Roman Catholics such as John Paul II

and the Grisez School continue to maintain that the use of contraception can never be justified by non-therapeutic reasons. In this final chapter, we will contend that in contemporary liberal society, it is no longer the *use* of contraception which seems to be in need of moral justification, but the *non-use* of contraception. That is, it is not the avoiding of children which has to be morally justified by serious reasons, but the having of children.

We will begin this chapter by analysing and deconstructing the dominant secular narrative about having children, often described by commentators as one of 'procreative liberty'. Through a discussion of the themes and layers of the cultural discourse which surrounds the debate about having children, we will suggest that while most people do not generally regard contraception as a moral issue, the issue of *who* should have children (and so the non-use of contraception) is often highly contentious.

Furthermore, in this climate, having children is also making less and less sense, and we no longer seem to know *why* we might even want to have children in the first place. In light of this problem, both secular and theological commentators are beginning to propose that we need to find new narratives to support this activity. We will suggest that it is not so much the lack of plausible accounts which is the problem, as the fact that the question 'why have children?' is even being asked. Indeed, it may be that such a question is indicative of the fact that we no longer understand having children to be constitutive of the human good.

The second half of this chapter will explore a theological response to the concept of procreative liberty. The Christian tradition has always provided an account of how the procreation of children belongs to the good of marriage. However, in the contemporary climate, this account seems to be of limited help as we seek to find a convincing narrative about the goodness of having children. Therefore, we will explore another aspect of the Christian tradition which may have been overlooked in relation to the question of having children: the notion of the common good.

By questioning contemporary attitudes towards having children in light of the notion of the common good, we will see the beginnings of a positive case for the good of having children start to emerge. As such, this chapter is not intended to provide all the answers to the questions raised by the contemporary debate about having children, but it is intended to suggest what a theological engagement with the debate might look like. Furthermore, as some of the unexplored territory between the two contrasting attitudes towards contraception is opened up, they are revealed to be false alternatives. However, we will suggest that our initial exploration of the middle ground between them has enabled us to re-describe the moral framework of the debate about contraception, from which preliminary insights into a fresh perspective on having children can be found.

Part One: The Contemporary Debate About Having Children

6.2 The doctrine of procreative liberty

In March 2000, Michael Nazir-Ali, the Bishop of Rochester, published a short article in his diocesan newspaper entitled 'Marriage, Family and the Church'.[1] In it, he argued that having children and their nurture is 'a basic good of marriage and not an optional extra'. He went on to say that children 'are part of God's will for marriage unless there are very good reasons to the contrary'.[2] In the national furore which followed the publication of the article, it was clear that the Bishop had touched on a raw nerve.[3] He had challenged a presupposition deeply engrained in the liberal mindset: having children is a private choice.[4]

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[1] Michael Nazir-Ali, 'Marriage, Family and the Church', *Rochester Link*, March 2000, p. 2.
[2] Nazir-Ali, p. 2.
[3] See Helen Stanton, 'Obligation or Option? Marriage, Voluntary Childlessness and the Church', in *Celebrating Christian Marriage*, ed. by Adrian Thatcher (Edinburgh: T&T Clark, 2001), pp. 223-239 (pp. 223-4); Alexandra Frean, 'Bishop Damns Childfree Couples as Selfish', *The Times*, 8 March 2000, p. 1; Helen Rumbelow, 'Experts Condemn "Cruel" Bishop', *The Times*, 9 March 2000, p. 11; Pat Ashworth, 'Children Not "Optional Extra" for Couples', *Church Times*, 10 March 2000, p. 3; Cosmo Landesman, 'Something We Forgot About the Family', *The Sunday Times*, 12 March 2000, p. 5; Germaine Greer, 'Does Every Couple Need a Child?', *The Daily Telegraph*, 15 March 2000, p. 19.
[4] Stanley Hauerwas comments: 'It is a common presumption that we choose or do not choose to have children. Not only do we choose to have children, but since having children has been

The notion of procreative liberty has grown out of liberal ideology and reflects its dominant values. Hence, as one might expect, the presupposition that individuals are entirely at liberty either to have children or not, lies at the heart of this notion. John Robertson states, 'at the most general level, procreative liberty is the freedom either to have children or to avoid having them. Although often expressed or realised in the context of a couple, it is first and foremost an individual interest.'[5] It appears that there are two central claims here. Firstly, that the concept of procreative liberty is symmetrical: there is an equal liberty either to have children or not to have them. Secondly, that it is also undifferentiated: every individual has such a liberty, whether they are married or single, heterosexual or homosexual. Robertson then continues to suggest why the notion of procreative liberty is a value which is so deeply engrained in the liberal mindset. He states that freedom to control whether or not one reproduces is 'central to personal identity, to dignity, and to the meaning of one's life'.[6] The reaction to the Bishop of Rochester's article perhaps suggests that this claim is correct.

In contrast, the Christian tradition has always maintained that children are a gift rather than a choice. Recently, theologians have challenged the way in which this understanding of gift has been replaced by the concept of choice, and questioned the voluntarism which pervades it.[7] Given the work already done in this area, this chapter will not pay detailed

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freed from the necessity of the past, we feel that we *should* make having or not having children a matter of choice. Even Catholics who refuse to use contraception still feel that they must describe having children as something they choose to do. For we are people who feel it is important that we have control of our lives, that we not be subject to fate, and one of the ways that we have such control is by choosing to have or not to have children.' Stanley Hauerwas with Richard Bondi and David B. Burrell, *Truthfulness and Tragedy: Further Investigations into Christian Ethics* (Notre Dame: University of Notre Dame Press, 1977), p. 149.

[5] John A. Robertson, *Children of Choice: Freedom and the New Reproductive Technologies* (Princeton, New Jersey: Princeton University Press, 1994), p. 22.

[6] Robertson, p. 24.

[7] For example, see Hauerwas, *Truthfulness and Tragedy*, pp. 147-156. Also see William H. Willimon, 'Children: The Blessed Burden', *Religion in Life*, 49 (1980), 24-34; Oliver O'Donovan, *Begotten or Made* (Oxford: Clarendon Press, 1984); Rodney Clapp, *Families at the Crossroads: Beyond Traditional and Modern Options* (Leicester: IVP, 1993); Gilbert Meilaender, *Bioethics: A Primer for Christians* (Carlisle: Paternoster Press, 1997), pp. 11-25; Samuel Wells, *Transforming Fate into Destiny: The Theological Ethics of Stanley Hauerwas*

attention to the problems of regarding children as a choice, but it will have important implications for that debate. Instead, this first section of the chapter will be concerned with the complexity of the cultural discourse which surrounds the concept of procreative liberty, a subject which few theologians appear to have addressed. In discussing the complexity of this area, we will suggest that the concepts at the heart of the notion of procreative liberty may be overly simplistic.

However, before we proceed, it is important to clarify the nature of the liberty which is at stake here. We will do this by examining briefly the work of the French philosopher and historian, Michel Foucault. Having done this, we will suggest that a lack of appreciation about how legal liberties are culturally policed, may result in the rather simplistic view that everyone is equally at liberty to have children.

6.2.i What kind of liberty?

One of Foucault's primary concerns is the nature of power. Although his understanding of power changed and developed throughout his work, Lois McNay offers a helpful summary of Foucault's thought in this area:

> Partly in explicit counterposition to a Marxist perspective, Foucault's interest was not directed at the expression of power in its most central and institutionalized forms such as state apparatuses or class relations. Rather, he was concerned to examine how power relations of inequality and oppression are created and maintained in more subtle and diffuse ways through ostensibly humane and freely adopted social practices. In short, Foucault questions the rationality of post-Enlightenment society by focusing on the ways in which many of the enlightened practices of modernity progressively delimit rather than increase the freedom of individuals and, thereby, perpetuate social relations of inequality and oppression.[8]

Foucault's concern, then, is not with the exercise of power by institutions, or by the sovereignty of the state, nor with systems of domination exerted by one elite group over another. Indeed, his concern is not with the macrophysics but the microphysics of power; that

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(Carlisle: Paternoster Press, 1998), pp. 172-178; Brent Waters, *Reproductive Technology: Towards a Theology of Procreative Stewardship* (London: Darton, Longman and Todd, 2001); Anna Poulson, 'Multiplication Fables', *Third Way*, 26:2 (2003), 12-14.

[8] Lois McNay, *Foucault: A Critical Introduction* (New York: Continuum, 1994), p. 2.

is, its everyday aspects.[9] He states, 'power is not an institution, and not a structure; neither is it a certain strength we are endowed with; it is the name that one attributes to a complex strategical situation in a particular society.'[10] According to Foucault, all social relations are fundamentally relationships of power; it is therefore impossible for there to be a society without power relations. He states that power is omnipresent 'because it is produced from one moment to the next, at every point, or rather in every relation from one point to another. Power is everywhere; not because it embraces everything, but because it comes from everywhere.'[11]

In *Discipline and Punish*[12], Foucault describes the micropractices of power and its day to day operations as techniques of 'discipline'. These are 'small acts of cunning endowed with a great power of diffusion, subtle arrangements, apparently innocent, but profoundly suspicious, mechanisms that obeyed economies too shameful to be acknowledged, or pursued petty forms of coercion'.[13] It is the different disciplines, or 'technologies of power', which are the subject of Foucault's attention rather than a general theory of power. Indeed, Foucault refuses to provide a general theory of power because he considers that it can only be understood against and among particular cultural practices.[14]

One such example can be found in his first major work, *Madness and Civilization*, originally published in 1961.[15] Here Foucault describes the cultural construction of madness and the consequent development of the asylum. He challenges the widely accepted view that the 'medicalization of madness' and the creation of asylums were examples of humanitarian

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[9] McNay, p. 3.
[10] Michel Foucault, *The History of Sexuality Volume One: An Introduction*, trans. by Robert Hurley (London: Allen Lane, 1979), p. 93.
[11] Foucault, *The History of Sexuality,* p. 93.
[12] Michel Foucault, *Discipline and Punish: The Birth of the Prison*, trans. by Alan Sheridan (London: Allen Lane, 1977).
[13] Foucault, *Discipline and Punish*, p. 139.
[14] Hubert L. Dreyfus and Paul Rabinow, *Michel Foucault: Beyond Structuralism and Hermeneutics, with an Afterword by Michel Foucault* (Brighton: Harvester Press, 1982), p. 188.
[15] Michel Foucault, *Madness and Civilization: A History of Insanity in the Age of Reason*, trans. by Richard Howard (London: Routledge, 2001).

reform and medico-scientific progress. The reformers may have done away with some of the more brutal forms of restraint but, according to Foucault, the asylum replaced these with more insidious forms of control. After describing the work done in this field by Samuel Tuke, Foucault states:

> We must therefore re-evaluate the meanings assigned to Tuke's work: liberation of the insane, abolition of constraint, constitution of a human milieu - these are only justifications. The real operations were different. In fact Tuke created an asylum where he substituted for the free terror of madness the stifling anguish of responsibility; fear no longer reigned on the other side of the prison gates, it now raged under the seals of conscience. Tuke now transferred the age-old terrors in which the insane had been trapped to the very heart of madness. The asylum no longer punished the madman's guilt, it is true, but it did more, it organized that guilt; it organized it for the madman as a consciousness of himself.[16]

Therefore, 'rather than the mad being liberated from power they were in fact being reconstituted as subjects of power and objects of knowledge within the asylum.'[17] The insidious power of the asylum was not so much that it turned the mad into objects, or 'docile bodies',[18] but that the mad became subjects to themselves. Foucault sees this subjectivising force of power at work in all the techniques of discipline. We are controlled not only as objects of disciplines, but also as self-forming subjects, internalising the norms of society and then monitoring our conformity to these norms.[19] McNay states, 'to be a subject, in Foucault's view, is necessarily to be subjected. Even when individuals think that they are most free, they are in fact in the grip of an insidious power which operates not through direct forms of repression but through less visible strategies of "normalization".'[20] Thus, Foucault states:

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[16] Michel Foucault, *Madness and Civilization*, pp. 234-5.
[17] Barry Smart, *Michel Foucault* (London: Routledge, 1988), p. 24.
[18] Foucault, *Discipline and Punish*, pp. 135-170. Foucault argues that the classical age discovered the body as a target of power: 'a body is docile that may be subjected, used, transformed and improved' (p. 136).
[19] Gary Gutting, 'Foucault, Michel (1926-1984)', in *The Routledge Encyclopedia of Philosophy*, ed. by Edward Craig (London: Routledge, 1998), pp. 708-713 (p. 711). For the way in which the power of the norm appears through disciplines, see Foucault, *Discipline and Punish*, pp. 177-184.
[20] McNay, p. 5.

> This form of power applies itself to immediate everyday life which categorizes the individual, marks him by his own individuality, attaches him to his own identity, imposes a law of truth on him which he must recognize and which others have to recognize in him. It is a form of power which makes individuals subjects. There are two meanings of the word *subject*: subject to someone else by control and dependence, and tied to his own identity by a conscience or self-knowledge. Both meanings suggest a form of power which subjugates and makes subject to.[21]

This, then, is how Foucault characterises power. But what is also of particular interest for us is the way in which Foucault understands the relationship between the formation of disciplinary society and the development of the juridico-political system. He states:

> Historically, the process by which the bourgeoisie became in the course of the eighteenth century the politically dominant class was masked by the establishment of an explicit, coded and formally egalitarian juridical framework, made possible by the organization of a parliamentary, representative regime. But the development and generalization of disciplinary mechanisms constituted the other, dark side of these processes. The general juridical form that guaranteed a system of rights that were egalitarian in principle was supported by these tiny, everyday physical mechanisms, by all those systems of micro-power that are essentially non-egalitarian and asymmetrical that we call the disciplines. And although, in a formal way, the representative regime makes it possible, directly or indirectly, with or without relays, for the will of all to form the fundamental authority of sovereignty, the disciplines provide, at the base, a guarantee of the submission of forces and bodies. [22]

Foucault appears to be suggesting that while the development of the juridical system advanced under the guise of universal equality, it was supported, and so undermined, by a system of disciplines. For Foucault, discipline and law are therefore dual but opposing forces.[23]

The universal panopticism, or omnipresence, of power enables it to operate 'on the underside of the law, a machinery which is both immense and minute, which supports, reinforces, multiplies the asymmetry of power and undermines the limits that are traced around the law'.[24] This means that the supposed universal equality afforded to people under the juridical system is countered by the disciplines which, 'characterize, classify, specialize;

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[21] Michel Foucault, 'The Subject and Power', in Hubert L. Dreyfus and Paul Rabinow, *Michel Foucault: Beyond Structuralism and Hermeneutics, with an Afterword by Michel Foucault* (Brighton: Harvester Press, 1982), pp. 208-226 (p.212).
[22] Foucault, *Discipline and* Punish, p. 222.
[23] Alan Hunt and Gary Wickham, *Foucault and Law: Towards a Sociology of Law as Governance* (London: Pluto Press, 1994), p. 46.
[24] Foucault, *Discipline and Punish*, p. 223.

they distribute along a scale, around a norm, hierarchize individuals in relation to one another and, if necessary, disqualify and invalidate.'[25]

Thus, Dreyfus and Rabinow state that 'Foucault's aim is to isolate, identify, and analyze the web of unequal relationships set up by political technologies which underlies and undercuts the theoretical equality posited by the law and political philosophers. Bio-power escapes from the representation of power as law and advances under its protection.'[26] 'Biopower' is Foucault's description of the power specific to our time. Dreyfus and Rabinow state, 'bio-power can be defined as the way our current practices work so as to bring about an order in which Western men will be healthy, secure and productive. When one sees how bio-power works, one has a grid of intelligibility for understanding the sort of human beings we are today.'[27]

If Foucault's thesis about the subtle nature of power is insightful, then activities such as having children, which masquerade under the guise of freedom and liberty, may be policed and controlled in ways we rarely consider. We may all have the *legal* liberty to choose whether or not to have children, but to what extent is this liberty subtly controlled by the power of cultural attitudes? In an attempt to answer this question, we will examine the presupposition at the heart of the notion of procreative liberty (that everyone is at liberty to have children or not), and enquire about how our legal liberty in this area is culturally policed.

6.2.ii How the legal liberty to have children is culturally policed

In describing the cultural discourse which surrounds the contemporary debate about having children, it may be helpful to draw on some sociological literature. Much of this is focused on the situation in the USA where there is a history of pro-natalist sentiments and

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[25] Foucault, *Discipline and Punish*, p. 223.
[26] Dreyfus and Rabinow, *Michel Foucault*, p. 185.
[27] Hubert L. Dreyfus and Paul Rabinow, 'What is Maturity? Habermas and Foucault on "What is Enlightenment?"', in *Foucault: A Critical Reader*, ed. by David Couzens Hoy (Oxford: Basil Blackwell, 1986), pp. 109-121 (p. 116).

government policies.[28] Sociologists have suggested that in the USA women are defined by being mothers; for a woman 'being a mother is seen as her ultimate reason for being'.[29] However, they also state that this is only the case for married women; there is still a stigma attached to giving birth outside marriage. Indeed, they go on to highlight the double message about motherhood revealed in political rhetoric and media images: 'poor black women are sometimes threatened with sterilization or reduced welfare benefits in an effort to discourage their getting pregnant, but educated white women, in contrast, are bombarded with pro-pregnancy propaganda.'[30] In other words, there are pro-natalist ideals for some but not for others.

Therefore, on the one hand sociologists speak of the 'social obligation' of parenthood for some in the USA, and on the other, that not everyone is expected or encouraged to have children.[31] They discuss the policies in place which are designed to limit the childbearing of the poor. These include a number of cases in which parents have been forced to give up their legal right to have children. For example, as a punishment for the crimes they have committed, women have sometimes been prevented from having children through court-ordered use of contraception. Some legislators have apparently considered ordering the use of the contraceptive Norplant for all poor women convicted of serious drug crimes.[32]

Another recent study by Campion describes how professionals are increasingly having to decide who is fit to be a parent (for example, in abuse, adoption or custody cases). The recurring characteristics deemed necessary for fit parenting include physical fitness, education, choice and control over one's life, secure employment, domestic permanency,

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[28] Brent C. Miller, 'Marriage, Family and Fertility', in *Handbook of Marriage and the Family*, ed. by Marvin B. Sussman and Suzanne K. Steinmetz (New York: Plenum Press, 1987), pp. 565-595 (p. 583). On pro-natalism also see R. K. Jones and A. Brayfield, 'Life's Greatest Joy? European Attitudes Toward the Centrality of Children', *Social Forces*, 75 (1997), 1239-70, (p. 1242) and David M. Newman and Liz Grauerholz, *Sociology of Families*, 2nd edn (Thousand Oaks, CA: Pine Forge Press, 2002), pp. 327-328.

[29] Scott Coltrane and Randall Collins, *Sociology of Marriage and the Family: Gender, Love and Property*, 5th edn (London: Wadsworth, 2001), p. 343.

[30] Coltrane and Collins, p. 343.

[31] See Newman and Grauerholz, pp. 321-356.

[32] Newman and Grauerholz, p. 337

wide support networks and congruence with the dominant culture.[33] Although Campion argues that many of these characteristics belong to an ideal model of fit parenting rather than the actual model, she states that the ideal model is a very powerful fantasy which informs most people's personal aspirations when embarking on parenthood or trying to cope with the consequences of the reality.[34]

These studies highlight that the legal liberty to have children is surrounded by a more subtle and complex discourse than is often imagined. It would appear that while everyone has the legal liberty to have children or not, there are pro-natalist ideals for some sectors of the population and not others. Indeed, there are various cultural constraints upon the legal liberty of certain people (notably the poor) to have children. Accordingly, although an unemployed person who lives in a one-bedroom council flat would have the same legal liberty to have children as a lawyer who lives in large suburban property, the flat-dweller's legal liberty is culturally policed in a way that the lawyer's is not. Presumably, the unemployed person would not be considered able to provide for the welfare of the child in the way that the lawyer would.

The welfare of the child appears to be one of the key aspects in the contemporary debate about having children. This is highlighted by a comment made by Root Cartwright, chair of the British Organisation of Non-Parents, in response to Nazir-Ali's article on marriage and the family. He states, 'the interesting thing to look at is not why people are not having kids, but what rational justification there is for having them. If people have a child that they don't want, the child would suffer.'[35] In a study on voluntary childlessness, Helen Marshall describes how the welfare of the child is now central to a dominant ideology of parenthood which holds that parents owe children total commitment and should be prepared to make all sorts of personal sacrifices for them. Interestingly, she found that this ideology

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[33] Mukti Jain Campion, *Who's Fit to be a Parent?* (London: Routledge, 1995), p. 261.
[34] Campion, pp. 279-80.
[35] Cartright's comment is quoted by Alexandra Frean, 'Bishop Damns Childfree Couples as Selfish', *The Times*, 8 March 2000, p. 1.

was not only accepted by parents, but also by the voluntarily childless; indeed, it often formed the basis of their decision not to have children.[36]

But what constitutes the welfare of the child? Is it adequate provision of material needs, or psychological and emotional well-being, or both? Given the cultural policing of the flat-dweller's legal liberty to have children, we might assume that provision of material needs is perceived to be central to the welfare of the child. If so, the materialism at the heart of this concept of welfare would need to be questioned. But this interpretation is likely to be rather narrow. Indeed, according to Campion, the emphasis on parental ability to rear children arose because of increasing knowledge about the influence of child-rearing practices on adult well-being, and a realisation that nurture is as important, if not more so, than nature.[37] If the concept of welfare, therefore, is more to do with the psychological and emotional needs of the child, this raises other questions to which we shall return towards the end of the chapter. However, for now, we simply need to note its importance in determining the extent to which a person's legal liberty to have children is culturally policed.

What we are now starting to see emerge is a description of the cultural policing of the legal liberty to have children which questions the claim that the notion of procreative liberty is both symmetrical and undifferentiated. The narrative does not seem to support all choices to have children in the way it supports all choices *not* to have children. Also, the legal liberty of some is more extensively policed than that of others; this is largely determined by factors associated with the welfare of the child, including the provision of material and emotional needs. So far, we have concentrated on the more personal dimension of the cultural policing

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[36] Helen Marshall, *Not Having Children* (Oxford: Oxford University Press, 1993), pp. 69-84. For studies of the various factors which motivate couples to remain child-free, see Sharon K. Houseknecht, 'Voluntary Childlessness', in *Handbook of Marriage and the Family*, ed. by Marvin B. Sussman and Suzanne K. Steinmetz (New York: Plenum Press, 1987), pp. 369-395 and Maureen Baker, *Families, Labour and Love: Family Diversity in a Changing World* (Crows Nest, NSW: Allen and Unwin, 2001), p. 122. For the way in which the voluntarily child-free are often considered to be motivated by selfishness, see Baker, *Families, Labour and Love*, p. 122 and William H. Willimon, 'Children: The Blessed Burden', *Religion in Life*, 49 (1980), 24-34 (p. 27).

[37] Campion, p. 132.

of our legal liberty to have children. We must now turn our attention to the wider social dimension by treating the issue of overpopulation.

6.2.iii Overpopulation

One imagines that few people living in developed countries today would say that they feel any sense of moral obligation to have children. This has not always been the case. For example, due to the heavy loss of young men during the First World War, the French government in the 1920's promised medals of honour to women who had eight or more children.[38] In our first chapter, we also encountered the pro-natalist arguments popular in early twentieth century Britain which proposed that certain people (mainly the British middle classes) had an obligation to the nation to have children.

Today, in countries where the birth rate is below the replacement level, one occasionally finds politicians encouraging people to have more children, or articles warning of the negative implications of the low birth rate for the future of these societies.[39] It is difficult to imagine that such arguments actually motivate many people to have children.[40] However, it would seem that while Britons and Europeans are being encouraged to have more children, there is a general assumption that people in the developing nations have a moral obligation to have fewer children. This is based on the presupposition that the world is already drastically overpopulated, and that ecological disaster will only be avoided if birth rates in certain parts of the world are lowered. In light of this general assumption, arguments which encourage those in the developed nations to have more children may appear to have

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[38] Newman and Grauerholz, p. 328

[39] See, for example, Michael Gove, 'Breed or Die Out', *Times 2*, 15 November 2001, pp. 2-3; Richard Girling, 'The Great Baby Shortage', *The Sunday Times Magazine*, 15 February 2004, pp. 16-31; James Graff, 'We Need More Babies', *Time*, 164:21 (29 November 2004), pp. 44-46

[40] Joan Smith recently commented in *The Times*: 'I am not prepared to countenance the argument that having children is an act of altruism: show me the couple who sit down with demographic projections and decide that they should conceive because in 20 years' time there will be a demand for productive citizens in the workforce.' Joan Smith, 'Ignore the Fertility Industry's Zealots: You can be Childless and a *Real* Woman', *The Times*, 27 August 2003, p. 16.

rather racist overtones. We will now examine briefly the contemporary view that there may be a moral obligation for some people not to have children because of the problem of overpopulation.

Paul Ehrlich, who first published *The Population Bomb*[41] in 1968, has more recently jointly published *The Stork and the Plow*.[42] Writing within the Malthusian tradition, he claims that the stork is threatening to overtake the plough. In other words, the birth rate is threatening to become too great for the world's food supply to sustain. The proposed solution is to slow the stork's deliveries and to enhance those of the plough in order to maintain food security and create a sustainable world. In Ehrlich's view, economic development alone will not be sufficient to slow population growth. Instead, contraception must become universally available in the developing nations where the growth is occurring.

Ehrlich is therefore entirely supportive of the recommendations for huge increases in funding for family planning made by the International Conference on Population and Development held in Cairo in 1994. However, he also considers that developed nations need to strive for lower fertility rates: 'the world's richest nations need to follow China's example in adopting explicit policies to encourage population shrinkage and implementing them in a manner tailored to varied cultural contexts.'[43] He also advocates a measure of reduction in consumption in the developed nations, recognising that every birth in a rich nation adds disproportionately to pressure on the ecosystem and vital resources. However, 'generally speaking' Ehrlich would prefer a world with 'fewer people living richer lives'.[44] The most effective way to achieve this situation is by encouraging people not to have children.

Ehrlich is by no means alone in his analysis of the global situation. Many commentators believe that what is needed is a wide-scale attempt to lower population growth,

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[41] Paul Ehrlich, *The Population Bomb* (London: Ballantine/Friends of the Earth, 1971).
[42] Paul Ehrlich, Anne Ehrlich and Gretchen C. Daily, *The Stork and the Plow: The Equity Answer to the Human Dilemma* (London: Yale University Press, 1995).
[43] Ehrlich, Ehrlich and Daily, p. 104.
[44] Ehrlich, Ehrlich and Daily, p. 276.

particularly in developing countries, but also in developed countries.[45] Perhaps the question which needs to be asked is whether the assumption behind this way of thought is correct. Is the world overpopulated?

This is a question asked by a number of papers in a collection entitled *The Nine Lives of Population Control*.[46] In answer to this question, Nicholas Eberstadt suggests that the phenomena which is cited as evidence of overpopulation (such as poor health, unemployment and overcrowded housing) is not necessarily proof of overpopulation, but proof of poverty. He considers that many of the problems ascribed to 'population pressures' are caused by factors that are independent of demographic trends; economic difficulties are misidentified as population problems.[47] In another paper in the collection, Julian Simon and Karl Zinsmeister concur with Eberstadt's thesis. They claim that studies by social historians indicate that population growth 'is often used as a scapegoat for problems with other causes, especially a lack of economic and political freedom'.[48]

If the assumption that many of the world's problems can be attributed to population growth is mistaken, or at least unproven, presumably this calls into question the suggestion that these problems will be overcome by greater availability of contraception and wide-spread population policies. Both Eberstadt's paper and that of Simon and Zinsmeister, are scathing about policies of population control which are intended to eliminate poverty and cause economic growth. History has shown that it is more often the reverse which is true: economic

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[45] For example, see Lester R. Brown and Hal Kane, *Full House: Reassessing the Earth's Population Carrying Capacity* (London: Earthscan, 1995); George Moffett, *Critical Masses* (London: Penguin, 1995); Bill McKibben, *Maybe One* (London: Anchor, 1998); Lester R. Brown, Gary Gardner and Brian Halweil, *Beyond Malthus: Nineteen Dimensions of the Population Problem* (London: W. W. Norton, 1999).

[46] *The Nine Lives of Population Control*, ed. by Michael Cromartie (Grand Rapids, Michigan: Ethics and Public Policy Center Washington, D.C. and William B. Eerdmans, 1995).

[47] Nicholas Eberstadt, 'The Premises of Population Policy: A Reexamination', in *The Nine Lives of Population Control*, ed. by Michael Cromartie (Grand Rapids, Michigan: Ethics and Public Policy Center Washington, D.C. and William B. Eerdmans, 1995), pp. 17-36 (p. 28).

[48] Julian Simon and Karl Zinsmeister, 'How Population Growth Affects Human Progress', in *The Nine Lives of Population Control*, ed. by Michael Cromartie (Grand Rapids, Michigan: Ethics and Public Policy Center Washington, D.C. and William B. Eerdmans, 1995), pp. 61-79 (p. 62).

growth has a decisive effect on population size. Similarly, in response to the 1994 Cairo conference, the Roman Catholic John Smeaton suggests that it is racist and imperialist to fund provision of contraceptives to the poor of the world while failing to fund health care provision for their children.[49]

It therefore appears that the supposed moral obligation to avoid having children because the world is overpopulated may rest on dubious premises. But the strength of the common assumptions about overpopulation, which tend to go unquestioned, is such that they add huge weight to the cultural policing of our legal liberty to have children. Frequently in popular discussion one hears that there are 'already too many children in the world'. This tends to translate into a moral obligation to have children only when one is able to provide for them adequately, and then to have only a culturally acceptable number of children.

In addition, in this context voluntary childlessness is often defended as an altruistic act. It is seen as a refusal to have children motivated by concern for the future of the world. In contrast, having children then tends to be regarded as 'selfish', or at least having a large number of children is often perceived to be so. For, according to this view, not only does having children contribute to the ecological disaster faced by the world, but it is callous to have a large number of children when there are many millions of orphans around the world who are in need of good homes.

We have now seen something of the way in which society, both on a personal and a social level, culturally polices our legal liberty to have children. It would appear, therefore, that contemporary attitudes towards having children are neither as symmetrical nor as undifferentiated as the doctrine of procreative liberty purports them to be. Indeed, the common presupposition that having children is a private choice and that everyone is entirely at liberty either to have or not to have children, now appears to be overly simplistic.

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[49] John Smeaton, 'A Personal Statement from a Roman Catholic Perspective', *Transformation*, 13 (1996), 3 (p. 3). Also see John Smeaton, 'A Personal Interpretation of Roman Catholic Teaching on Population', *Transformation*, 13 (1996), 4-7.

Furthermore, in a context which culturally polices the having of children, this activity appears to be making less and less sense. Indeed, both secular and theological commentators have begun to recognise that few people can give a plausible account of why they have children. Therefore, in our next section we will consider the way in which we now have very little sense of *why* we might want to have children in the first place. We will then consider some of the new narratives which are being offered as a way of making sense of this activity.

6.3 Why do we have children?

In encouraging his students to examine their assumptions, Stanley Hauerwas asks them, 'what reason would you give why one should be willing to have children?'[50] They respond, because children are fun, or because they are an expression of a couple's love, or just because it is the thing to do. Hauerwas continues, 'but they clearly doubt that any of these are an adequate basis for having children.'[51] Commenting on this doubt, Hauerwas states that it illustrates 'the depth of the crisis concerning the family: we lack a moral account of why we commit ourselves to having children.'[52] Various sociological sources support Hauerwas' thesis. Maureen Baker comments that 'research from many countries indicates that most adults who become parents do so as a matter of course, without much reflection'.[53] A recent Canadian survey also found that most respondents were 'hard pressed to articulate exactly why they had children - even when extensive probing was introduced'.[54]

In January 2003, the attention of the British public was brought to the fact that we no longer know why we have children by a popular sociological book. In *What are Children for?*[55]

Laurie and Matthew Taylor argue that many of our reasons for not having children are based on questionable premises and mask the real reason why people are hesitant to have

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[50] Stanley Hauerwas, *A Community of Character: Toward a Constructive Christian Social Ethic* (Notre Dame: University of Notre Dame Press, 1981), p. 157.
[51] Hauerwas, *A Community of Character*, p. 157.
[52] Hauerwas, *A Community of Character*, p. 157.
[53] Baker, *Families, Labour and Love*, p. 121.
[54] *Social Values and Attitudes Surrounding New Reproductive Technologies* (Ottawa: Royal Commission on New Reproductive Technologies, 1993), p. 14
[55] Laurie Taylor and Matthew Taylor, *What are Children for?* (London: Short Books, 2003).

children: we do not know what they are for. They deconstruct reasons commonly cited for not having children, such as the claim that having children has become too expensive, or that children today are exposed to greater dangers. They then argue that although our beliefs about the rising costs and risks of having children are misinformed, they 'enjoy the cultural purchase that they do because of the lack of any counterbalancing stories'.[56]

The Taylors' book is a welcome addition to the cultural discourse which surrounds the debate about having children. Perhaps due to our unease with the question, 'why do we have children?', popular discussion tends to be dominated with the *how* questions of having children. We preoccupy ourselves with everything from how to get one (hence the interest in reproductive technologies), to how to bring one up to be happy and healthy (hence the predominance of parenting courses and literature), but rarely stop to ask ourselves *why* we are doing this. Furthermore, as Brent Waters states, 'we are growing increasingly uncertain about what it means to be a parent or a child. This is witnessed by the awkward vocabulary we are concocting to describe our present circumstances. We now engage in "parenting", suggesting that parents are adults who do something to children, rather than sharing in a unique bond and unconditional relationship.'[57]

Commenting on the way in which people become surprisingly inarticulate when asked the question, 'why should anyone want to have children in the first place?', Hauerwas suggests that the question itself seems illegitimate. He states, 'in doubt as to why we are having children or what we are to do with them once we have them, we feel more secure not raising these questions, on the assumption that the unexamined life is indeed worth living.'[58] The question may seem to be illegitimate to many, but the Taylors' book is evidence that it is a question which is being asked more frequently.[59] One suspects that this will continue to be the case.

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[56] Taylor and Taylor, p. 105.
[57] Brent Waters, *Reproductive Technology: Towards a Theology of Procreative Stewardship* (London: Darton, Longman and Todd, 2001), p. 132.
[58] Stanley Hauerwas, *Suffering Presence: Theological Reflections on Medicine, the Mentally Handicapped and the Church* (Edinburgh: T&T Clark, 1988), p. 145.
[59] Also see Paul Vallely, 'Why do we really want Children?', *Church Times*, 3 January 2003,

This may well be an indication of the state we are in about having children. Perhaps it is not so much the fact that people are unable to provide a plausible account of why they have children that is indicative of the problem, but the fact that people are even asking the question in the first place. Indeed, that the question makes increasing sense in contemporary society may be an indication that we no longer assume having children to be constitutive of the human good.

Elizabeth Anscombe comments that it is distressing to live in a world where the question, 'why have children?' presents itself so intelligibly. In an attempt to show what a 'weird distorted question' it is, she compares it to the question 'why digest food?' According to Anscombe, the latter question does not present itself intelligibly, but neither did the question 'why have children?' before the widespread acceptance of contraception and abortion. She states, 'formerly that now natural question would have been a natural one only in the minds of a pair who did not propose to marry or set up any very permanent relationship. Otherwise the question would have seemed absurd. You marry, you set up to live together or the like, and if not barren you expect to have children, they will come. But now the situation is greatly changed.'[60]

However, given that the question, 'why have children?' is being asked more frequently, we need to decide what we are going to do with it. The Taylors propose that we need to try to answer the question and to find new narratives to substantiate having children. Yet, they also suggest that in the current climate, their title question ('what are children for?'), 'may be so difficult to answer because it is becoming, literally, unanswerable.' They continue, 'we appear to be entering a unique period of history in which more and more people can no longer see the point of children.'[61]

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p. 7.

[60] G. E. M. Anscombe, 'Why have Children?', in *The Ethics of Having Children*, ed. by Lawrence P. Schrenk, Proceedings of the American Catholic Philosophical Association, 63 (Washington, D.C.: American Catholic Philosophical Association, 1990), pp. 48-53, (p. 51).

[61] Taylor and Taylor, p. 107.

Like many sociologists and demographers before them, the Taylors suggest that this is the result of applying the 'economic rationality' characteristic of liberal society to the area of having children.[62] That is, the decision to have children or not is made in the context of liberal economics, which is dominated by the notion of cost-benefit analysis. It is within this framework that having children is making less and less sense. Clapp comments:

> [...] Under the economic exchange model it is difficult to say why we should have children in the first place. Remember that in this model of life the ethic is above all one of individualism and autonomy, of keeping my choices open. This makes it irrational to bear a child, since children represent a commitment of several years. A child will limit my mobility, dictate the spending of much of my money and create 'agendas' I would otherwise never have imagined for myself.[63]

The Taylors consider that we urgently need new stories about the uniquely non-economic benefits of having children. They state that 'such a narrative would stress the manner in which having children and being involved in their upbringing provides a powerful sense of meaning in our own lives'.[64] They admit that seeing children in terms of providing new opportunities for parental self-fulfilment does not honour children in their own right, but 'either we develop a self-regarding and reflexive account of parenting that is in tune with the times or we risk having no account at all.'[65]

What is immediately striking about the Taylors' proposal is that there is nothing particularly *new* about it. Indeed, sociologists and demographers have argued at length that people no longer regard children as an economic asset but as a source of personal fulfilment.[66]

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[62] Taylor and Taylor, pp. 62-85. See also, Robert Schoen and others, 'Why do Americans Want Children?' *Population and Development Review*, 23 (1997), 333-358; Ron Lesthaeghe, 'A Century of Demographic and Cultural Change in Western Europe: An Exploration of Underlying Dimensions', *Population and Development Review*, 9 (1983), 411-435 (p. 412); Ronald D. Lee and John B. Casterline, 'Introduction', in *Fertility in the United States: New Patterns, New Theories*, ed. by J. B. Casterline, R. D. Lee and K. A. Foote, supplement to *Population and Development Review*, 22 (New York: The Population Council, 1996), pp. 1-15 (pp. 1-6).

[63] Rodney Clapp, *Families at the Crossroads: Beyond Traditional and Modern Options* (Leicester: IVP, 1993), p. 63.

[64] Taylor and Taylor, p. 113.

[65] Taylor and Taylor, p. 113.

According to such sources, it is precisely the kind of emotional and psychological fulfilment that the Taylors are advocating as the basis of their 'new' narrative which currently motivates people to have children. Indeed, in *Theory of Fertility Decline*, published twenty years ago, Caldwell argues that as children lose their value as economic assets, most couples will continue to have children 'in the full knowledge that having children is not economic, but that one's own children provide a unique form of pleasure which is not substitutable and that they can afford that expenditure for such unique pleasure'.[67] But does personal fulfilment really make sense of having children? Clapp thinks not:

> If I think first and foremost of controlling my life and assuring my self-fulfilment, children make little sense. Thus even as having children regains popularity with the baby boomer generation, it doesn't fit well with our serial polygamy, our material acquisitiveness, our spite of limitations and our all-demanding career tracks. In our society, having children seems unnatural and lacks clear purpose.[68]

Some anthropologists propose alternative descriptions of having children which emphasise 'the ability of children to create access to critical material resources through ties of kinship and other personal relationships made possible by children'.[69] In other words, children are a social resource; they create 'social capital' by establishing new relationships between people and making possible all sorts of social benefits for parents. For example, children establish and strengthen the relationships within a network of family and friends (with grandparents, uncles, aunts, siblings, godparents, and so on), as well as connecting the parents into local communities and neighbourhoods in new ways. Thus, 'childbearing is purposive behavior that creates and reinforces the most important and most enduring social bonds. We find that children are not seen as consumer durables; they are seen as the threads from which the tapestry of life is woven.'[70]

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[66] See Lesthaeghe, pp. 411-435; Baker, *Families, Labour and Love*, pp. 120, 122-4; Jones and Brayfield, p. 1240; Schoen and others, pp. 333-358; Newman and Grauerholz, p. 327; John C. Caldwell, *Theory of Fertility Decline* (London: Academic Press, 1982), pp. 333-351; Charlotte Chorn Dunham, 'The Graying of America', in *International Encyclopedia of Sociology*, ed. by Frank N. Magill (London: Fitzroy Dearborn Publishers, 1995), pp. 578-581 (p. 578).

[67] Caldwell, p. 338.

[68] Clapp, p. 137.

[69] Schoen and others, p. 336.

[70] Schoen and others, p. 350.

If Clapp is right to suggest that having children for personal fulfilment makes little sense in today's materialistic society, then a new narrative for having children based on their potential for social capital may be more plausible. We are not doubting that, insofar as having children belongs to the human good, being a parent will indeed provide a unique source of personal fulfilment. Rather, we do not consider it to be a wholly convincing reason for having children instead of pursuing any other activity which might also be uniquely fulfilling. However, a narrative for having children based on their potential for social capital may be more plausible. Indeed, as we will suggest, if the value of having children is to be found in the good of life together, then we should expect that having children will establish and deepen all sorts of relationships within a community of family and friends.

However, perhaps the danger with both of these approaches, especially that of the Taylors, is that they appear to accept the presupposition which is at the heart of the contemporary debate about having children. That is, by attempting to answer the question 'why have children?', it seems that they are accepting the presupposition that we need to justify having children. In the second half of this chapter, we will suggest that a Christian response to contemporary attitudes towards having children might begin with a refusal to accept this presupposition.

6.4 Conclusion

To summarize, this chapter began by claiming that during the twentieth century there has been a movement away from needing to justify the use of contraception to needing to justify the having of children. We examined the narrative of procreative liberty which claims to be both symmetrical and undifferentiated. That is, there is an equal liberty either to have or not to have children, and every individual has such a liberty. Our study of power and how we culturally police the having of children challenged these claims and showed them to be overly simplistic.

Furthermore, in a context which culturally polices the having of children, both in the more personal and social dimensions, this activity is making less and less sense. While there is a perceived need to justify having children, there is a lack of plausible accounts to explain why people might want to have children in the first place. We suggested that an account of having children based on social capital may have more potential than one based on personal fulfilment. However, both accounts accept the problematic presupposition that we need to justify having children. Therefore, in light of the contemporary debate about having children, is there anything which the Christian tradition has to say about this activity which might be of assistance?

Part Two: A Theological Response to the Contemporary Debate About Having Children

6.5 The good of procreation in the Christian tradition

In describing his experience of conducting premarital counselling, William Willimon notes the growing trend in voluntary childlessness and the number of couples who consider getting married and having children to be two separate choices. Willimon states that what disturbs him most is 'the implicit assumption that procreation and parenting are thoroughly optional, even quite unnecessary appendages to marriage'.[71]

Of course, according to the narrative of procreative liberty, having children is entirely optional. As we have seen, the basic premise of the narrative is that having or not having children is a free choice, whether one is in a partnership or is single, whether one is heterosexual or homosexual. Therefore, the idea that parenthood may have something to do with the nature of marriage seems to be almost inconceivable for most people in contemporary society. Hence, one suspects, the furore caused in response to Michael Nazir-Ali's article in March 2000.

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[71] William H. Willimon, 'Children: The Blessed Burden', *Religion in Life*, 49 (1980), 24-34, (p. 25).

In contrast, the Christian tradition has always maintained that we have children because they belong to the good of marriage. Augustine argues that marriage is comprised of three goods: *proles*, *fides* and *sacramentum* (procreation, fidelity and sacrament). He states:

> Now this good is threefold: fidelity, offspring and sacrament. Fidelity means that there must be no relations with any other person outside the marriage bond. Offspring means that children are to be lovingly received, brought up with tender care, and given a religious education. Sacrament means that the marriage bond is not to be broken, and that if one partner in a marriage should be abandoned by the other, neither may enter a new marriage even for the sake of having children. This is what may be called the rule of marriage: by it the fertility of nature is made honorable and the disorder of concupiscence is regulated.[72]

Over the years, the Christian tradition has developed the interpretation of these three goods of marriage, but their essential form has been retained. So, for example, we find a recent teaching document from the House of Bishops of the Church of England stating that 'the three blessings that belong to marriage are traditionally described as the procreation and nurture of children, the hallowing and right direction of natural instincts and affections, and the mutual society, help and comfort which each affords the other in prosperity and adversity'.[73]

Recent Church of England marriage liturgies have changed the traditional order of the three goods as they were originally set out in the 1662 Book of Common Prayer, moving procreation from first to last place.[74] However, if these three goods are all equally important,

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[72] Augustine, *The Literal Meaning of Genesis*, trans. by John Hammond Taylor, Ancient Christian Writers, 42, 2 vols (New York: Newman Press, 1982), II, p. 78. See also Augustine, 'The Good of Marriage', in *Treatises on Marriage and Other Subjects*, ed. by Roy J. Deferrari, Fathers of the Church Series, 27 (Washington, D.C.: The Catholic University of America Press, 1955), pp. 9-51 (pp. 47-48) and Augustine, 'Marriage and Desire', in *Answer to the Pelagians II*, trans. by Roland J. Teske, general editor John E. Rotelle, The Works of St. Augustine: A Translation for the 21st Century, 1/24 (New York: New City Press, 1998), pp. 28-96 (pp. 40-41).

[73] *Marriage: A Teaching Document from the House of Bishops of the Church of England* (London: Church House Publishing, 1999), p. 8.

[74] See 'The Form of the Solemnization of Matrimony', in *The Book of Common Prayer* (Cambridge: Cambridge University Press, [n.d.]), pp. 301-311 (p.302). The change to the order of the goods was first made in the marriage service found in *The Alternative Service Book 1980* (Colchester: Clowes; Cambridge: Cambridge University Press; London: SPCK; Sevenoaks: Hodder and Stoughton; Oxford: Oxford University Press; Oxford: A. R.

this change need not necessarily be seen as *theologically* important.[75] It may perhaps be *sociologically* important; for example, it might reflect our growing uncertainty about the place of children in relation to the goodness of marriage. However, regardless of these changes, it is indisputable that the Christian tradition has always recognised that having children belongs to the nature of marriage.

Moreover, this tradition has always claimed that the nature of marriage is not something which is determined by the parties entering into it, nor is its nature fluid or changeable. Instead, as a divine institution, its nature is determined by God. As such, O'Donovan states that marriage is 'simply and for itself, a good thing, a feature of human behaviour that requires no apology or defence, not a compromise or a second best'.[76] Hence, he goes on to explain that the doctrine of the three goods is not an account of what marriage is to *achieve*, but an account of what marriage *is*. Putting it crudely, the tradition has consistently taught that given the nature of marriage, children are only to be born in marriage, and marriage should always be open to children. Therefore, a Christian response to contemporary attitudes towards having children does not need to begin by accepting the dominant presupposition that it is necessary to justify having children.

However, although the Christian tradition has always regarded children as part of the good of marriage, it only provides limited help when it comes to seeking a convincing account of the goodness of having children in the contemporary context. This may be due to a potential problem which we will now briefly tackle. Essentially, the difficulty is that while the Christian tradition consistently affirms that procreation is one of the three goods of marriage, it does not seem to provide much detail about the nature of this good. It tends to assert the goodness of procreation, but fails to expand on this assertion. Furthermore, in some places, one is also left with a rather curious impression about the exact nature of this good.

Mowbray, 1980), p. 288. The change has been maintained in the marriage service found in *Common Worship: Marriage* (London: Church House Publishing, 2000), p. 3.

[75] See Oliver O'Donovan, 'Marriage and the family', in *Obeying Christ in a Changing World*, general editor John Stott, 3 vols (London: Fountain Books, 1977) III: *The Changing World*, ed. by Bruce Kaye, pp. 94-114 (p. 97)

[76] O'Donovan, 'Marriage and the Family', p. 97

For example, in the *Stromata*, Clement of Alexandria warns against evading procreation:

> If they do not marry or produce children, they will be playing their part in reducing the population and undermining the cities and the world they compose. Such behavior is irreverent. It undermines generation, which is a gift of God. It is a sign of weakness and unmanliness to try to escape from a partnership in life with wife and children. A state which it is wrong to reject must be totally right to procure. So with all the rest. In fact, they say the loss of children is one of the gravest evils. It follows that the acquisition of children is a good thing. If so, so is marriage.[77]

In arguing that procreation is good because it increases the human race, Clement appears to be implying that the goodness of procreation is the end result of *having* a child, or the good of there simply being children in the world, which is perhaps a rather curious and limited understanding of the nature of this good.

Furthermore, we do not find children being written about affectionately in much of the tradition. Indeed, some of the Early Church Fathers vividly describe the burdens of raising children. For example, Jerome explains how children distract a married woman from the things of God: 'then come the prattling of infants, the noisy household, children watching for her word and waiting for her kiss, [...], the very management of the household, the education of the children, the wants of the husband, the correction of the servants, cannot fail to call away the mind from the thought of God.'[78] Elsewhere, Jerome again comments that 'the drawbacks of marriage' include 'pregnancy, the crying of infants, the torture caused by a rival, the cares of household management, and all those fancied blessings which death at last cuts short'.[79] However, Jerome is adamant that his cataloguing of the trials of marriage is not

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[77] Clement of Alexandria, *Stromateis: Books 1-3*, trans. by John Ferguson (Washington, D.C.: The Catholic University of America Press, 1991), p. 252.

[78] Jerome, 'The Perpetual Virginity of Blessed Mary: Against Helvidius', in *Jerome: Letters and Selected Works*, ed. by Philip Schaff and Henry Wace, Nicene and Post-Nicene Fathers Second Series, 6 (Peabody, Massachusetts: Hendrickson Publishers, 1995), pp. 335-346 (p. 345).

[79] Jerome, 'Letter XXII: To Eustochium, on the Preservation of Virginity' in *Jerome: Letters and Selected Works*, ed. by Philip Schaff and Henry Wace, Nicene and Post-Nicene Fathers Second Series, 6 (Peabody, Massachusetts: Hendrickson Publishers, 1995), pp. 22-41 (p.23).

equivalent to condemning marriage: 'Do I condemn marriage if I enumerate its troubles, such as the crying of infants, the death of children, the chance of abortion, domestic losses and so forth?'[80]

Similarly, Augustine describes having children as part of the 'present distress' of married couples and states that since the coming of Christ is now not served through the begetting of children, it is foolish to take upon oneself 'the burden of this tribulation of the flesh'.[81] However, from this we should not conclude that the Early Church Fathers considered procreation to be anything other than good. Indeed, the fact that they were painfully realistic about the hardships of raising children does not weaken their assertion that procreation is one of the goods of marriage, quite the opposite. That they can enumerate the hardships, and yet also proclaim the goodness of procreation, suggests that they appreciated the goodness of having children all the more. Hence, having children, although often burdensome and full of hardship, may have been widely *assumed* to be constitutive of the human good. Indeed, while not everyone had children, that they belonged to the good of marriage was not commonly doubted.

Therefore, that the Early Church Fathers do not seem to provide much detail about the nature of the good of procreation may not necessarily be the result of their doubting its goodness, but because they took this goodness for granted. This appears to be the case throughout much of the Christian tradition. In the previous chapter, for example, we noted how Deddo is critical of Barth because he does not appear to say much about the positive significance of procreation. Deddo then suggests that Barth may have assumed that the readers of his day would quite easily fill this gap.[82] If Deddo's suggestion is valid, then it is

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[80] Jerome, 'Letter XLVIII: To Pammachius in Support of the Books Against Jovinianus', in *Jerome: Letters and Selected Works*, ed. by Philip Schaff and Henry Wace, Nicene and Post-Nicene Fathers Second Series, 6 (Peabody, Massachusetts: Hendrickson Publishers, 1995), pp. 66-79 (p. 77).

[81] Augustine, 'Holy Virginity', in *Treatises on Marriage and Other Subjects*, ed. by Roy J. Deferrari, Fathers of the Church Series, 27 (Washington, D.C.: The Catholic University of America Press, 1955), pp. 143-212 (p. 159).

[82] Gary W. Deddo, *Karl Barth's Theology of Relations - Trinitarian, Christological and Human: Towards an Ethic of the Family* (New York: Peter Lang, 1999), p. 226, footnote 14.

possible that Barth, like much of the Christian tradition before him, may have taken the goodness of procreation for granted. For Barth, perhaps, there was no need to enumerate the positive significance of having children because it was not generally doubted by his readers.

However, Deddo continues that the contemporary reader may no longer take the basic goodness of procreation for granted. Hence, much of the Christian tradition's account of the goodness of procreation seems to be of limited assistance to our attempt to find a convincing narrative of the goodness of this activity within the contemporary context. This means that we need an account of the positive significance of having children to help make sense of that which has always been commonly assumed. Our inability to take the goodness of having children for granted is, therefore, by no means wholly negative, for it provides us with the opportunity to more fully comprehend the meaning and significance of having children. We will begin our search by turning to two contemporary Christian treatments of having children.

6.5.i Two contemporary Christian treatments of having children

Given the Christian teaching on the good of marriage, we might anticipate that a theological account of having children would be grounded in this tradition. Interestingly, however, the idea that procreation is intrinsic to the nature of marriage not only appears to be alien to contemporary society, but also to several contemporary theologians. For example, in a recent book edited by Adrian Thatcher, Helen Stanton argues that the availability of effective contraception means that we are now able to understand having children as an additional vocation to that of marriage.[83] Her survey of Christian couples who are voluntarily childless revealed that 'issues of work, of vocation, and of commitment to Christian, political and pastoral causes were given as the primary reason why members of the group had not chosen to have children'.[84] From this Stanton concludes that it is legitimate to 'opt' to avoid parenthood in order to respond to an alternative vocation which 'may perhaps, but not

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See p. 174.

[83] Helen Stanton, 'Obligation or Option? Marriage, Voluntary Childlessness and the Church' in *Celebrating Christian Marriage*, ed. by Adrian Thatcher (Edinburgh: T&T Clark, 2001), pp. 223-239.

[84] Stanton, p. 228.

always, enable a wider availability to people, to political causes, and to building the Kingdom of God'.[85]

One of the primary problems with Stanton's argument is with her basic premise that the invention of effective artificial contraception has somehow changed the nature of marriage. She states, 'the concept of vocation with regard to having children is inevitably a new one. In the past, however, the vocation to marriage was a common concept, which fundamentally subsumed the vocation to children within it. Now, because of contraception, it does not necessarily do so and contemporary theology has begun to develop a language of vocation in relation to children in marriage.'[86] Stanton seems to have overlooked the givenness of marriage as a divine institution. As such, the nature of marriage cannot be altered by the invention of effective contraception. To concede that children are a separate or additional vocation to marriage would mean conceding either that the entire Christian tradition has misunderstood the nature of marriage, or that a technological invention in the twentieth century has somehow mysteriously changed the nature of a divine institution. Contraception may enable couples to space and plan their children, but it does not alter the fact that an openness to having children is integral to the nature of marriage.

Insofar as there may be some couples who have a particular vocation which may preclude having children, Stanton may have a point. Yet, we may also wish to question how many vocations would in fact be impossible to follow with the addition of children. What is to say, for example, that being a missionary in Africa is necessarily incompatible with having children? However, what is crucial is that while we may be able to imagine some vocations which might preclude children, what is incredible is the notion that married couples need an *additional* vocation in order to have children. In other words, it is not the *having* of children which requires a vocation in addition to marriage, but the *not having* of children.

The other theological account of having children which appears to have lost sight of the fact that we have children because they are integral to the goodness of marriage, is that of

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[85] Stanton, p. 239.
[86] Stanton, pp. 235-6.

Stanley Hauerwas. This is not to say that Hauerwas does not have many significant things to say about the meaning of having children which might helpfully contribute to an account which is trying to make sense of this activity.[87] However, what is rather odd about Hauerwas' work on having children is that he tends to talk about their significance in relation to the church rather than in relation to marriage. Indeed, after reading Hauerwas on this subject, one is left with the rather curious impression that Christians do not have children because they belong to the good of marriage, but for the sake of the Christian community. Hauerwas states:

> The having of children is hard to make intelligible unless we are members of a people. But we are not just any people: we are a people who are charged to carry the story of God who gives us the basis for our existence as his people. Thus we do not have our children because we have some obligation to keep the species intact; or because we wish to furnish our country with a population large enough to secure worldly power; but because we are pledged to exist as a Christian community. [88]

Of course, Hauerwas may be right to say that having children will have meaning and significance in and for the Christian community. However, that does not appear to be what Hauerwas is saying. Again, he states, 'the family is not just something we do because we are in the habit, nor is it something we must do to fulfill a moral purpose. Rather, marriage and the family, like the life of singleness, becomes a vocation for the upbuilding of a particular kind of community.'[89] Hauerwas appears to be saying that we have children for the good of the Christian community. The Christian community will no doubt be built up by our having children, but what appears to be missing from Hauerwas' account is any sense that we have children because they belong to the good of marriage.

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[87] See, Stanley Hauerwas with Richard Bondi and David B. Burrell, *Truthfulness and Tragedy: Further Investigations into Christian Ethics* (Notre Dame: University of Notre Dame Press, 1977), pp. 147-156; Stanley Hauerwas, *A Community of Character: Toward a Constructive Christian Social Ethic* (Notre Dame: University of Notre Dame Press, 1981), pp. 155-195; Stanley Hauerwas, *Suffering Presence: Theological Reflections on Medicine, the Mentally Handicapped and the Church* (Edinburgh: T&T Clark, 1988), pp. 142-156; Samuel Wells, *Transforming Fate into Destiny: The Theological Ethics of Stanley Hauerwas* (Carlisle: Paternoster Press, 1998), pp. 172-178.

[88] Hauerwas, *Truthfulness and Tragedy*, p. 151.

[89] Hauerwas, *A Community of Character*, p. 174.

It would appear, therefore, that neither the teaching of the Christian tradition on the goodness of procreation, nor these two contemporary Christian treatments of having children are able to offer more than limited assistance in our search for a convincing account of the goodness of this activity in the contemporary context. However, perhaps we may find the necessary resources in another aspect of the Christian tradition which has so far been overlooked in relation to marriage and having children. One such aspect of the Christian tradition is the notion of the common good, which may provide a framework within which we might recapture something of the goodness of having children.

6.6 The Common Good tradition

The question of the relation between the good of a person and the common good is one which has preoccupied thinkers ever since Plato and Aristotle were concerned with the nature of life in the *polis*. The question was also taken up by Augustine and developed by Thomas Aquinas. In the twentieth century, the common good became a prominent concern in Roman Catholic social teaching, notably in Pope John XXIII's encyclical *Mater et Magistra.* [90] This theme was then taken up by Vatican II's *Gaudium et Spes*,[91] and more recently in the *Catechism of the Catholic Church.*[92]

Although interpretations of the common good have varied throughout its history, central to our concern is the relationship between the good of persons and the common good. This has always been regarded as 'more complex than the mathematical operations of division or summation can represent'.[93] David Hollenbach continues, 'the good of an individual person is not simply a part or a mathematical fraction of the good of the larger society. But neither is the social good simply the mathematical sum of individual goods.'[94]

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[90] John XXIII, *Mater et Magistra* (London: Catholic Truth Society, 1961), paragraph 65.
[91] *Gaudium et Spes* (London: Catholic Truth Society, 1966), pp. 27-28 and 75-77.
[92] *Catechism of the Catholic Church* (London: Geoffrey Chapman, 1994), pp. 413-414 and 418-419.
[93] David Hollenbach, *The Common Good and Christian Ethics* (Cambridge: Cambridge University Press, 2002), p. 69.
[94] Hollenbach, p. 69.

The reason why the common good cannot be 'disaggregated without remainder' into the private goods of the individuals who make up the community, is that such disaggregation would dissolve the 'bonds of relationship that constitute an important part of good lives'.[95] The tradition has always maintained that, given the social nature of humanity, social relations are not good simply for extrinsic reasons, but are good in and of themselves. As Hollenbach states:

> The common good, therefore, is not simply a means for attaining the private good of individuals; it is a value to be pursued for its own sake. This suggests that a key aspect of the common good can be described as *the good of being a community at all* - the good realized in the mutual relationships in and through which human beings achieve their well-being.[96]

Aristotle's concern was the pursuit of the good life. He argued that a good life is necessarily a common life. The good of the individual is essentially bound up with the *polis* because 'man is a civic being, one whose nature is to live with others'.[97] Therefore, if it is the common life of the *polis* which is the sphere of human flourishing, the good of the individual cannot be separated from the common good. Furthermore, the end of the *polis* itself is not simply the maintenance of the practical and material functioning of society. Instead, the *polis* exists for the higher goods of relationship and fellowship. Aristotle states, 'excellence must be the care of a state which is truly so called, and not merely enjoys the name: for without this end the community becomes a mere alliance which differs only in place from alliances of which the members live apart.'[98] In other words, Aristotle recognises that a community's pursuit of the good life will involve far more than merely existing together for extrinsic benefit. Indeed, 'political society exists for the sake of noble actions, and not of living together.'[99]

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[95] Hollenbach, p. 81.
[96] Hollenbach, pp. 81-2.
[97] Aristotle, *Nicomachean Ethics*, trans. by Christopher Rowe (Oxford: Oxford University Press, 2002), p. 236. Also see Aristotle, *Nicomachean Ethics*, p. 101 and Aristotle, *The Politics*, ed. by Stephen Everson (Cambridge: Cambridge University Press, 1988), p. 60.
[98] Aristotle, *The Politics*, p. 64
[99] Aristotle, *The Politics*, p. 65.

Furthermore, according to Aristotle, the common good of social relationships is superior to the isolated good of an individual life. He comments, 'even if the good is the same for a single person and for a city, the good of the city is a greater and more complete thing both to achieve and to preserve; for while to do so for one person on his own is satisfactory enough, to do it for a nation or for cities is finer and more god-like.'[100] This religious dimension was developed by Augustine and Aquinas who both argued that God is the supreme common good and that the true community is one which is united in worship and love of God. Aquinas states, 'what God has in mind is the good of the whole universe, since he is its maker and governor; hence whatever he wills is in the light of the common good, that is, his own goodness, which is the good of the whole universe.'[101]

Aquinas largely follows Aristotle's conception of the social nature of humanity and the consequent inseparability of the individual good from the common good, as well as the superiority of the good of the whole above the good of the part.[102] However, it is the theological analogy which he draws between divine goodness and that of the human community which is of particular interest. He states:

> One may therefore call things good and existent by reference to this first thing, existent and good by nature, inasmuch as they somehow participate and resemble it, even if distantly and deficiently, [...]. And in this sense all things are said to be good by divine goodness, which is the pattern, source and goal of all goodness.[103]

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[100] Aristotle, *Nicomachean Ethics*, p. 96. Cf. Thomas Aquinas, *Summa contra Gentiles*, trans. by the English Dominican Fathers (London: Burns, Oates and Washbourne Ltd., 1928), 3/1, pp. 33-34.

[101] Thomas Aquinas, *Summa Theologiae*, 1a2ae, 19, 10, trans. by Thomas Gilby, 60 vols (Cambridge: Blackfriars, 1966), XVIII, p. 81. Also see Aquinas, *Summa Theologiae*, 3a, 46, 2, trans. by Richard T. A. Murphy, 60 vols (Cambridge: Blackfriars, 1965), LIV, p. 11 and Aquinas, *Summa Theologiae*, 1a, 60, 5, trans. by Kenelm Foster, 60 vols (Cambridge: Blackfriars, 1968), IX, p. 203. Cf. Augustine, *City of God*, XIX, 23, trans. by Henry Bettenson (London: Penguin, 1972), p. 890.

[102] See Aquinas, *Summa Theologiae*, 1a, 96, 4, trans. by Edmund Hill, 60 vols (Cambridge: Blackfriars, 1964), XIII, p. 135 and Aquinas, *Summa Theologiae*, 1a2ae, 109, 3, trans. by Cornelius Ernst, 60 vols (Cambridge, Blackfriars, 1972), XXX, p. 79 and Aquinas, *Summa Theologiae*, 2a2ae, 26, 3, trans. by R. J. Batten, 60 vols (Cambridge: Blackfriars, 1975), XXXIV, p. 127 and Aquinas, *Summa Theologiae*, 2a2ae, 47, 10, trans. by Thomas Gilby, 60 vols (Cambridge: Blackfriars, 1974), XXXVI, p. 35.

[103] Aquinas, *Summa Theologiae* 1a, 6, 4, trans. by Timothy McDermott, 60 vols (Cambridge:

Jacques Maritain has been particularly influential in developing Aquinas' understanding of the analogical nature of the common good. He wrote *The Person and the Common Good*[104] in the wake of various totalitarian regimes which, he considered, had neglected the fact that the good of the social body is the good of *human persons*. In this work, Maritain advances a personalist thesis in which there is a correlation between the notion of 'the *person* as social unit and the notion of the *common good* as the end of the social whole. They imply one another.'[105] In exploring this correlation, Maritain states that the common good of the city is 'the good *human* life of the multitude, of a multitude of persons; it is their communion in living.'[106] He goes on to suggest that this common good is analogous to that at the heart of the Trinitarian God. Following Aquinas, Maritain argues that in this divine society, each one of the Persons is 'in the other through an infinite communion, the common good of which is strictly and absolutely the proper good of each, since it is that which each person is and their very act of existing'.[107] In other words, the common good of the Trinity is their very communion itself, their very relationship with each other.

Of course, Maritain recognises that human society will always be an imperfect image of this 'super-analogue' of the concept of society. But it should also be distinguished from impersonal or animal 'society' in which each individual is so isolated within itself that 'they do not tend toward any communion and have no common good'.[108] Indeed, human society is located on an analogical scale half way between the 'uncreated exampler' and aggregations of impersonal beings; it is 'a society of persons who are material individuals, hence isolated each within itself but nonetheless requiring communion with one another as far as possible here below in anticipation of that perfect communion with one another and God in life eternal'.[109]

Blackfriars, 1963), II, p.93.

[104] Jacques Maritain, *The Person and the Common Good* (Notre Dame: University of Notre Dame Press, 1966).

[105] Maritain, p. 49.

[106] Maritain, p. 51.

[107] Maritain, pp. 58-9.

[108] Maritain, p. 59.

[109] Maritain, p. 59.

This differentiation between the temporal common good and the ultimate supernatural common good is also crucial in Augustine's treatment of the concept. For while Augustine argues that the ultimate good of communion will only be found in the eschatological City of God, he also recognises, as Hollenbach puts it, that 'every social good achievable in history is a limited good'.[110] In other words, although it is impossible to achieve full communion in the earthly city, nevertheless, it is possible to sustain life together in a terrestrial community with a shared common good. Augustine states that while 'true justice is found only in that commonwealth whose founder and ruler is Christ', earthly cities are 'a commonwealth to some degree'.[111] He therefore amends Cicero's definition of a people as follows:

> [...] If one should say, 'a people is the association of a multitude of rational beings united by a common agreement on the objects of their love', then it follows that to observe the character of a particular people we must examine the objects of its love. And yet, whatever those objects, if it is the association of a multitude not of animals but of rational beings, and is united by a common agreement about the objects of its love, then there is no absurdity in applying to it the title of a 'people'. And obviously, the better the objects of this agreement, the better the people; the worse the objects of this love, the worse the people.[112]

In *Common Objects of Love*,[113] Oliver O'Donovan draws on Augustine's definition of a people to explore the connection between love and community. In describing love, O'Donovan employs Augustine's differentiation between 'use' and 'enjoyment'. O'Donovan comments:

> In enjoyment, the object is simply 'there for us', which is what makes the difference between enjoyment and 'use', where the object is put to the service of some project. Love, whatever actions it gives rise to, is contemplative in itself, rejoicing in the fact that its object is there, not wanting to do anything 'with' it.[114]

To love an object is therefore to stand in relation to it rather than to put it to any form of use. But, O'Donovan continues, 'loving, like knowing, is something we do only with

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[110] Hollenbach, p. 125.
[111] Augustine, *City of God*, II, 21, p. 75.
[112] Augustine, *City of God*, XIX, 24, p. 890.
[113] Oliver O'Donovan, *Common Objects of Love: Moral Reflection and the Shaping of Community* (Grand Rapids, Michigan: William B. Eerdmans, 2002).
[114] O'Donovan, *Common Objects of Love*, p. 16.

others.'[115] Simply in loving the goods which we love, 'we become part of a community that is not constructed to accomplish some task but is given in the very fact that we cannot but love them.'[116] Hence, a community is that which is brought into being by sharing common objects of love which are enjoyed for their own sake. Arguing that the verbal sense of the Greek noun *koinonia* used to be rendered by the medieval scholastics as *communicatio* rather than *communitas*, O'Donovan suggests that a community is formed by those who communicate; 'they become a "we" in relation to the object, whatever it is, that is common to them.'[117] O'Donovan is therefore primarily concerned with Augustine's argument that it is loving common *things*, rather than loving *one another*, that is the foundation of a community. He states, 'the love that founds a community is not reciprocal, but turned outward upon an object.'[118] Hence it is the shared love for a common object or good which forms a community.

In this section, therefore, we have seen how the common good of personal relationships is analogous to the common good of the Divine Trinity. It is the very communion itself, the shared relationship which is the common object of love. To truly love this common good is to value it for its own sake, to recognise it as an intrinsic good and an end in itself. If it is not loved in this way, if it is treated as an instrumental good which is valuable only insofar as it is a means to some other private end, then it is not truly loved, nor can it be accurately described as a *common* good. We will now go on to see how the common good tradition has been helpfully developed in recent years by a group of scholars often described as 'communitarians'.

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[115] O'Donovan, *Common Objects of Love*, p. 19.
[116] O'Donovan, *Common Objects of Love*, p. 19.
[117] O'Donovan, *Common Objects of Love*, p. 27.
[118] O'Donovan, *Common Objects of Love*, p. 26.

6.6.i Communitarianism

Although they do not tend to identify themselves as communitarians, political philosophers such as Michael Sandel, Alasdair McIntryre and Charles Taylor are usually associated with this school of thought. While Christians will not wish simply to endorse communitarianism, they may share its concerns because it is rooted in the long tradition of theological thinking on the common good and common life in society.

Communitarians believe that the self can only find its moral identity through its membership in communities. Alasdair MacIntyre states, 'for the story of my life is always embedded in the story of those communities from which I derive my identity.'[119] He elaborates:

> [...] We all approach our own circumstances as bearers of a particular social identity. I am someone's son or daughter, someone else's cousin or uncle; I am a citizen of this or that city, a member of this or that guild or profession; I belong to this clan, that tribe, this nation. Hence what is good for me has to be the good for one who inhabits these roles. As such, I inherit from the past of my family, my city, my tribe, my nation, a variety of debts, inheritances, rightful expectations and obligations. These constitute the given of my life, my moral starting point. This is in part what gives my life its own moral particularity.[120]

Given that common ends and purposes are definitive of the self's identity, the communitarians describe community in a constitutive sense. In their view, community is 'constitutive of the shared self-understandings of the participants and embodied in their institutional arrangements, not simply an attribute of certain of the participants' plans of life'.[121]

Hence, the constitutive conception of community is based not on the pursuit of common aims and objectives, but upon people conceiving their identity 'as defined to some extent by the community of which they are a part. For them, community describes not just what they *have* as fellow citizens but also what they *are*, not a relationship they choose (as in a

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[119] Alasdair C. MacIntyre, *After Virtue: A Study in Moral Theory* (London: Duckworth, 1981), p. 205.
[120] MacIntyre, pp. 204-5. See also, Michael Sandel, *Liberalism and the Limits of Justice*, 2nd edn (Cambridge: Cambridge University Press, 1998), p. 179.
[121] Sandel, p. 173.

voluntary association) but an attachment they discover, not merely an attribute but a constituent of their identity.'[122]

Furthermore, Charles Taylor suggests that the common life will only assume its appropriate significance when the members of the community understand it as a crucial element in their identity. Such identity exists 'where the common form of life is seen as a supremely important good, so that its continuance and flourishing matters to the citizens for its own sake and not just instrumentally to their several individual goods or as the sum total of these individual goods'.[123] When those who share in the common form of life of a community are committed to its well-being for its own sake, then that common form of life can properly be described as the common good of the community.

For communitarians, therefore, the common good is a substantive good which defines the community's way of life, and takes precedence over the claims of individuals.[124] Indeed, according to their thesis, the good of individuals cannot be distinguished from the good of the communities to which they belong. Buchanan describes this form of community life as follows:

> If I am a member of a community, I conceive of the goals and values I share with my fellows as essentially *our* goals and values, not just as goals and values that happen to be the same for all of us because of a contingent convergence of our individual interests. Each member thinks of furthering the community's ends primarily as gains for *us*, not as a gain for themselves that happens to be accompanied by similar gains for other individuals in the group. In the activities that are the life of the community, individuals think of themselves first and foremost as members of the group. Thus, at least in the course of these activities, the distinction between what is in your interest, as opposed to mine or ours, breaks down or recedes into the background.[125]

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[122] Sandel, p. 150.
[123] Charles Taylor, 'Alternative Futures: Legitimacy, Identity and Alienation in Late Twentieth Century Canada', in *Constitutionalism, Citizenship and Society in Canada*, ed. by Alan Cairns and Cynthia Williams (Toronto: University of Toronto Press, 1985), pp. 183-229 (p. 213).
[124] Will Kymlicka, *Contemporary Political Philosophy: An Introduction*, 2nd edn (Oxford: Oxford University Press, 2002), p. 220.
[125] Allen Buchanan, 'Community and Communitarianism', in *The Routledge Encyclopedia of Philosophy*, ed. by Edward Craig (London: Routledge, 1998), pp. 464-471 (p. 465).

When a common goal is pursued by a community, the relationships generated in the process are understood to be valuable in themselves, irrespective of whether or not the common goal is achieved.[126] Indeed, it is essentially the *common form of life* which is the common good of such a community. The good life is therefore having the conditions needed to come to an appreciation of the community's shared constitutive ends.[127] Or, as Sandel puts it, to 'know a good in common that we cannot know alone'.[128]

Buchanan contrasts this understanding of community with that of an association. In the latter, individuals conceive of their interests as distinct, even if their goals are collective, and the relationships which are created in the process of pursuing the collective goal only have instrumental value for achieving the private interests of each individual involved.[129] Such would be the characteristics of a more liberal notion of community, according to which the good of a community is understood in terms of the simple aggregation of a series of individual goods. For example, the nineteenth century utilitarians, Jeremy Bentham and John Stuart Mill, proposed that a community is a collection of individuals, and the interest of the community is simply the aggregate of the interests of the individuals.[130] Bentham states:

> The community is a fictitious *body*, composed of the individual persons who are considered as constituting as it were its *members*. The interest of the community then is, what? - the sum of the interests of the several members who compose it. It is vain to talk of the interest of the community, without understanding what is the interest of the individual. [131]

In *A Theory of Justice,*[132] John Rawls provides an influential alternative to utilitarianism. He distinguishes his understanding of social unions, within which people cooperate to achieve shared final ends and value common activities for themselves, from forms of private interest in which people are motivated to cooperate only because they will

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[126] Buchanan, p. 465
[127] Kymlicka, p. 224.
[128] Sandel, p. 183.
[129] Buchanan, p. 465
[130] See Jeremy Bentham, *An Introduction to the Principles of Morals and Legislation*, ed. by J. H. Burns and H. L. A. Hart (Oxford: Clarendon, 1996); John Stuart Mill, *Utilitarianism*, ed. by Roger Crisp (Oxford: Oxford University Press, 1998).
[131] Bentham, p. 12
[132] John Rawls, *A Theory of Justice*, rev. edn (Oxford: Oxford University Press, 1999).

derive individual benefits.[133] Thus, Rawls' conception of community is not simply instrumentalist; he considers that there is more than merely private individual benefit which arises from community cooperation. However, his account of social union cannot generate a strong theory of community because it presupposes 'the antecedent individuation of the subjects of cooperation'.[134] That is, the self is prior to its ends; it is always independent from the values and interests that it has. Therefore, a person's identity cannot be defined by the community, or the relationships in which they share.

Charles Taylor describes this understanding of the self as 'atomist'. He uses the term 'atomism' to describe theories which present a purely instrumental view of society and defend the priority of the individual and the individual's rights over society.[135] If, within this liberal model, it is possible to say that there is a such a thing as the 'common good' of a community, it can only be understood in terms of the combination of the preferences and conceptions of the good held by individuals, all of which are counted equally. Therefore, any notion of there being a 'common good' in the liberal model is limited to being an instrumental good which serves the various different individual goods.[136] This is obviously very different to the conception of the common good proposed by the communitarians which, as we have seen, is a substantive good which defines both the community's way of life and the identities of those who belong to it.

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[133] Rawls, pp. 460-1.
[134] Sandel, p. 149. Also see, Samuel Freeman, 'Rawls, John (1921-)', in *The Routledge Encyclopedia of Philosophy*, ed. by Edward Craig (London: Routledge, 1998), pp. 106-110 (p. 108).
[135] Charles Taylor, *Philosophy and the Human Sciences* (Cambridge: Cambridge University Press, 1985), pp. 187-210.
[136] Kymlicka, p. 220.

6.6.ii Conclusion

To summarize, in our consideration of the nature of the common life, we have suggested that central to the notion of the common good is the good of being a community at all. In other words, the mutual relationships in which a community shares are not to be valued simply as a means to the private good of individuals, but as good in themselves. These mutual relationships are realised and embodied in the common form of life shared by the community. When this common form of life together is regarded as good in itself, its continuance and flourishing matters for its own sake, and it will not only be definitive of the community's way of life, but also of the identity of its individual members. This is a constitutive conception of community in which the common good is realised through a shared life of communication and interaction in relation to common objects of love.

6.7 Life Together: A theological perspective on the good of having children

Having examined the common good tradition and how it has been developed by the communitarians, the question is, how might this help us in our search for a convincing account of the goodness of having children in the contemporary climate? In this final section we will begin by outlining how reflecting on having children in relation to the common good might help us to begin to deconstruct the liberal individualism at the heart of the notion of procreative liberty. If, as a result of this work of deconstruction, we are no longer limited to thinking about having children in terms of private choice and individual liberties, we can then enquire about how this activity might be thought about differently. Indeed, we will suggest that one of the results of deconstructing the notion of procreative liberty in light of the common good, is that we have found the beginnings of a positive case for the good of having children.

6.7.i Deconstructing the doctrine of procreative liberty

In our earlier examination of contemporary attitudes towards having children, we suggested that the assumptions behind the concept of procreative liberty reflect the dominant values of liberal ideology. We saw this, for example, in the assumption that having children is a private choice of the individual, and in the way that this choice is often motivated by the anticipated personal fulfilment of parenting. However, given that the demands of having children necessitate parents to continually sacrifice their individual liberties, this activity is likely to become increasingly meaningless in the context of liberal society. Indeed, we saw earlier how it is the perceived demands of having children which is a key factor that motivates the decision to be voluntarily childless. Therefore, it is probable that we will only begin to find a more convincing account of having children if we can deconstruct the effect of liberal individualism on our attitudes towards marriage and procreation. Challenging the notion of procreative liberty with the concept of the common good may be one way to begin this work of deconstruction.

So, for example, we saw earlier that according to the liberal model, having children is often understood as an instrumental good which serves the individual goods of the parents. Laurie and Matthew Taylor freely admit that their narrative is not based on appreciating children as good in themselves; instead, it treats them as instrumental goods for the fulfilment of the parents.[137] As such, having children cannot properly be described as belonging to the common good of the parents. It is more like a shared project in which the partners cooperate in order to achieve the desired individual goods.

In this case, there seems to be very little reason for the partners to actually have *each other's* children. If a couple decide to have children on the basis of the combination of their individual preferences, rather than the community at the heart of their relationship, then there appear to be few reasons why they need to have one another's children. This may appear to

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[137] See p. 214.

be extreme, but it is the logical conclusion when having children is treated as an instrumental means to individual goods and, if Robin Baker is right, then it may soon become a reality.[138]

We also mentioned the importance of the welfare of the child in the first part of the chapter. We noted that there is some ambiguity about whether the welfare of the child is generally taken to mean the child's material or spiritual welfare. Certainly, people often argue that their reason for having two children rather than four is because they can only afford to provide for the material needs of two. However, this attitude may be the result of a pernicious form of materialism which dominates contemporary liberal society. If, however, the reason given for having fewer children is based on the welfare of the child understood in terms of psychological or emotional needs, then it shows little appreciation for the notion of the common good. Indeed, suggestions that the emotional welfare of two children will be better provided for than that of six, often appear to rest on dubious assumptions about the importance of a parent giving 'quality time' to each individual child. These assumptions neglect the fact that there is an intrinsic value in the common life which is shared by the family as a whole.

Furthermore, understanding the goodness of the common life might also challenge the way in which liberal society currently conceives of the good of the family in terms of the simple aggregation of individual needs and interests. For example, the good of a family eating together is something much more than simply meeting the nutritional needs of each individual. Indeed, as they eat together and share their stories, a family sustains and nourishes their identity as a community. In other words, it is the communication which takes place around the meal table which means that eating together becomes a *shared* good. If a family eats together while watching the television, this communication is lacking and it is difficult to see how the good of the meal is able to extend far beyond the physical nourishment of each family member.

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[138] In a recent book entitled *Sex in the Future*, Robin Baker predicts that in the future it is highly unlikely that people will parent children with their partners. Instead, individuals will have their own children by choosing a 'gamete partner', and partnerships will be for love and intimacy alone. See Robin Baker, *Sex in the Future: Ancient Urges meet Future Technology* (London: MacMillan, 1999).

Or, to take another example, imagine that a family sets out for the zoo. Everyone is excited because they all love seeing the lions. Dad loves seeing the lions because they remind him of visits to Africa, Mum because she loves cats, the children because their favourite story-book is about a lion. Several goods can potentially be realised in this trip. Firstly, there are various instrumental goods which will be served. Each family member loves seeing the lions for a different reason; therefore, the trip will satisfy these individual goods. No further goods will be served by the trip to the zoo unless the family appreciates that there is something good about going to see the lions *together*. So the second good which might be realised by this trip is the shared *common* good of enjoying the experience of seeing the lions as a family and of how this experience might contribute to their communal story and identity. Finally, the goods realised in this trip are not simply the individual goods or the shared good of doing something together, but there is also something good about seeing the lions themselves. After all, the experience would be very different if the family arrived at the zoo to find cardboard cut-outs of lions in the enclosure rather than the animals themselves!

Hence, the common good of the family is something very different to the simple aggregation of individual needs and interests. Instead, it is a shared good which nourishes and sustains the identity of the family and serves the intrinsically valuable relationships at its heart. The good of eating together or a family trip to the zoo might simply remain at the level of satisfying the various individual goods, but such experiences also have the potential to serve the common good of that community.

6.7.ii A fresh perspective on having children

Having suggested a few examples of how thinking about having children in relation to the notion of the common good might help us to deconstruct the narrative of procreative liberty, we can now consider how we might begin to think differently about this activity. Thus, what would happen if, instead of thinking about having children in terms of personal fulfilment, or the good of the family in terms of the aggregation of individual interests, we

thought about having children in terms of the common good of the family? That is, what might arise from thinking about having children in terms of how they embody the marital communion and contribute to its continuing flourishing, and of how they enter into the shared communication and interaction through which the common good is realised?

We should begin by mentioning briefly the discussion of the common good of marriage and the family in Roman Catholic circles. Although some Roman Catholic theologians are primarily concerned with the way in which the family relates to the common good of wider society,[139] others treat the common good of the family itself. Indeed, in chapter four we noted how Grisez describes the common good of marriage in terms of parenthood.[140] Grisez argues that 'the married couple's common good is, not any extrinsic end to which marriage is instrumental, but the communion of married life itself'.[141] He continues that parenthood both 'shapes' and 'sets the requirements' for this communion. Indeed, it is the cooperation in having children which specifically differentiates the marriage communion from any other community. Therefore, while he believes that marriage cannot be reduced to parenthood, he also argues that the way in which marriage is 'ordered towards' having children 'determines the conditions for the unity and cooperation of a married couple'.[142]

In *Civilising Sex: On Chastity and the Common Good*,[143] Patrick Riley names what Grisez implies: children themselves are the common good of marriage. Like Grisez, Riley considers that the specific characteristics of a community are defined by its common good, and 'what imparts to the common good of the family its specific character is the complex of

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[139] See for example, *Marriage and the Common Good: Proceedings from the Twenty-Second Annual Convention of the Fellowship of Catholic Scholars, September 24-26, 1999, Deerfield, Illinois*, ed. by Kenneth D. Whitehead (South Bend, Indiana: St. Augustine's Press, 2001). Also see Lisa Sowle Cahill, 'Sex, Gender, and the Common Good: Family', in *Religion, Ethics and the Common Good*, ed. by James Donahue and M. Theresa Moser, The Annual Publication of the College Theology Society, 41 (Mystic, CT: Twenty-Third Publications, 1996), pp. 145-67.

[140] See pp. 118-9.

[141] LCL, p. 568.

[142] LCL, p. 570.

[143] Patrick D. Riley, *Civilising Sex: On Chastity and the Common Good* (Edinburgh: T&T Clark, 2000).

purposes implicit in the foundation of the family'.[144] He then continues, 'offspring is the principal good or end of marriage in that at the moment of this society's foundation offspring specifies the marriage as a particular kind of society, namely one aimed at procreating and educating children.'[145] Therefore, according to Riley, children are the 'reason for marriage' and from the viewpoint of purpose or final causality, 'children are already present at the wedding.'[146] Hence, given that the child is the primary purpose of marriage, she is its common good:

> Now if we consider husband and wife a family, as they are, it is easy to answer the question: what is the common good of the family? The answer is: the child. This is not to say that the marital society itself, the union of husband and wife in fidelity to each other, is not also a part of the common good of the family. But the very establishment of the marital society is necessarily aimed at the procreation and education of children.[147]

Taking a slightly different approach, John Paul II, in his *Letter to Families*, states that it is marital consent, declared in the marriage vows, which defines the common good of marriage and the family. He comments: 'the words of consent define the common good of the couple and of the family. First, the common good of the spouses: love, fidelity, honour, the permanence of their union until death - all the days of my life. The good of both, which is at the same time the good of each, must then become the good of the children.'[148] He continues, 'in the newborn child is realized the common good of the family. Just as the common good of spouses is fulfilled in conjugal love, ever ready to give and receive new life, so too the common good of the family is fulfilled through that same spousal love, as embodied in the new-born child.'[149]

In the course of this thesis, we have already highlighted some of the difficulties with the understanding of marriage and procreation in the work of John Paul II and the Grisez School. Therefore, without raising many further questions at this stage, we may endorse

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[144] Riley, p. 31.
[145] Riley, p. 33.
[146] Riley, p. 36.
[147] Riley, p. 39.
[148] John Paul II, *Letter to Families* (n.p.: National Catholic Association of Catholic Families, 1994), p. 11.
[149] John Paul II, *Letter to Families*, p. 13.

much of their appreciation of the common good of marriage. Indeed, at the end of our previous chapter we suggested that because marriage includes sexual intercourse, children are a gift specifically given to the marital fellowship.[150] Also, in this chapter we have seen how the Christian tradition has always maintained that an openness to having children is integral to the nature of marriage. Therefore, we would certainly wish to agree that children are an embodiment of spousal love and a realisation of the common good of the marital communion. Of course, this is rather different from saying that children are *the* purpose of marriage or that they *alone* specify the nature of the marriage community. However, they are undoubtedly *one* of the goods which defines the nature of the marital communion, and *one* of the key ways in which this communion is nurtured and enriched.

Recalling O'Donovan's understanding of common objects of love, we might suggest that the common good of marriage is not so much the child itself, as the marital relationship into which the child enters. This, we might further suggest, may be a truer reflection of the nature of the Divine Trinity, whose common object of love is their communion, rather than each other. Indeed, if the common good is the child itself, then being a parent might become simply the project or task of 'parenting', of *doing* something with or to the child. However, if the common object of love is the marital relationship, the good of being a parent will be found instead in the shared stories and the shaping of identities within this community.

Regarding the marital fellowship as the common object of love will mean appreciating the intrinsic value of this relationship and enjoying it for its own sake, rather than treating it as a means to an end. Indeed, if a marriage relationship is entered into simply as a means to personal fulfilment, then it cannot properly be described as a 'common object of love'. The couple may share certain extrinsic goods which are instrumental to their private goods (such as a home, meals, bills, pets, children, and so on), but if their communion itself is not valued as an intrinsic good, then it is neither truly loved nor is it a properly shared or common good. As Hollenbach comments, 'the common good of friendship must be a shared good if it is to exist at all.'[151]

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[150] See p. 191.
[151] Hollenbach, p. 81.

If, on the other hand, a couple value their relationship as a common object of love, then other shared goods (such as a home, meals and children), become intrinsic to their shared life together. For then these other goods become aspects of the shared communication and interaction through which the common good of the relationship is realised. Then they are not 'merely extrinsic means to human flourishing but are aspects of flourishing itself. This shared life of communication and interaction with others, in all its aspects, is good in itself.'[152] Therefore, if the marriage relationship is valued as a common object of love, we might be able to begin to think differently about having children. The willingness to have children would then be motivated by a desire to have *each other's* children, and by the good of the shared life of communication and interaction into which they will enter.

However, while coming to an appreciation of the good of life together may be the starting point for a more convincing account of having children, what might this common life look like? One paradigm for the form of the common life is found in Bonhoeffer's *Life Together*.[153] This is a significant example, given that Bonhoeffer was writing out of a context in which Hitler's fascism exemplified a misappropriation of the notion of the common life.[154] Bonhoeffer wrote *Life Together* in light of his experience of the Finkenwalde seminary. Hence, while the family is not Bonhoeffer's direct concern, his conception of the common form of life nevertheless serves as a useful paradigm for any community committed to the common good of life together.

One of the most striking features of Bonhoeffer's description of the form of common life is the fact that every activity, whether performed together or apart, contributes to the common good. The key activities for which the community comes together are worship and table fellowship. Both are essential for binding the community together. In his directions for the conduct of worship, it is the good of worshipping *together* which appears to be uppermost

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[152] Hollenbach, p. 81.
[153] Dietrich Bonhoeffer, *Life Together*, trans. by John W. Doberstein (London: SCM, 1954).
[154] Hollenbach states, 'an authoritarian regime is one whose understanding of who should share in the social good is too narrow. A tyranny's vision of the good is not a vision of the commonweal or of a good that is genuinely common.' See Hollenbach, p. 69.

in Bonhoeffer's mind. So, for example, he suggests that the praying of the psalms is important because they teach the congregation to pray as a fellowship; listening to the Word enables the believing fellowship to be woven into the events of salvation; singing hymns together in unison is sharing in the song of the Church.

As the community is bound together spiritually by its worship, so it is bound together physically by its table fellowship. Bonhoeffer states:

> The table fellowship of Christians implies obligation. It is *our* daily bread that we eat, not my own. We share our bread. Thus we are firmly bound to one another not only in the Spirit but in our whole physical being. The *one* bread that is given to our fellowship links us together in a firm covenant. Now none dares go hungry as long as another has bread, and he who breaks this fellowship of the physical life also breaks the fellowship of the Spirit.[155]

Bonhoeffer's appreciation of how the common life is established and sustained through worship and table fellowship reflects a long-established Christian tradition, an early and significant expression of which can be found in the Rule of St. Benedict.[156] In both Benedict's Rule and Bonhoeffer's *Life Together*, everything which takes place in the community is to serve the communal good. So, in describing 'the day alone', Bonhoeffer describes how activities undertaken by individuals are to be understood in relation to the life of the whole community. For example, times of silence are essential for the individual because 'after a time of quiet we meet others in a different and a fresh way'.[157] Personal intercession for the members of the community is described as 'the pulsing heart of all Christian life in unison'.[158] The life of a Christian fellowship is dependent upon the intercession of its members for one another, or it collapses.[159] Equally, it is only when the individual makes private confession that the 'final break-through' to fellowship occurs, because sin tears the fellowship apart.[160] Thus, in describing how the individual's spiritual life can only be understood in relation to the community, we see more clearly what it truly

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[155] Bonhoeffer, *Life Together*, p. 51.
[156] Benedict, *The Rule of St. Benedict*, trans. by Anthony C. Meisel and M. L. del Mastro (Garden City, NY: Image Books, 1975).
[157] Bonhoeffer, *Life Together*, p. 60.
[158] Bonhoeffer, *Life Together*, p. 65.
[159] Bonhoeffer, *Life Together*, p. 65.
[160] Bonhoeffer, *Life Together*, pp. 86-89.

means to be a member of a community. Bonhoeffer states, 'we *are* members of a body, not only when we choose to be, but in our whole existence. Every member serves the whole body, either to its health or its destruction.'[161]

In light of this example, we might suggest that an attempt to think differently about having children may need to begin by re-imagining the good life as that which is lived and shared in common; where individual identities are shaped and formed by life together, and the flourishing of the common life is valued for its own sake. If our mindset changed from one determined by liberal individualism, to one in which my life has meaning and purpose chiefly within the story of my community, then having children may begin to make sense again. Indeed, if couples were committed to the flourishing of their common life through shared communication and activity in relation to their common objects of love, it may be the contemporary demand that we should justify the goodness of having children which would then seem strange and alien.

6.8 Conclusion

In the previous chapter, we examined the work of four key Protestant theologians who primarily focus upon the serious reasons which they take to be necessary to justify the use of contraception. We suggested that the moral indifference with which contraception is largely viewed today means that they now only provide us with limited assistance in thinking about the question of contraception. Hence, in this chapter we have tried to move the debate on beyond their contribution. We suggested that one way of doing this may be by beginning to develop a positive case for the good of having children and that this may start to emerge from a critique of the dominant contemporary attitudes towards having children.

Therefore, we began this chapter by examining the narrative of procreative liberty which claims that there is an equal liberty either to have or not to have children, and that this liberty is central to the identity of every individual. In other words, it claims to be both

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[161] Bonhoeffer, *Life Together*, p. 68.

symmetrical and undifferentiated. Our discussion of the layers and themes of the cultural discourse which surrounds the concept of procreative liberty suggested that these claims are overly simplistic. The cultural policing of having children, both in the personal and social dimensions, also contributes to a context in which the question 'why have children?' is being more frequently asked. We saw how recent attempts to provide narratives to support the having of children in response to this question are problematic, primarily because they accept the contemporary assumption that we need to justify having children.

We then went on to ask whether there is anything that the Christian tradition has to say about having children which might be of assistance in responding to the contemporary debate. Certainly, this tradition has never expected people to justify having children. Indeed, it has largely taken the goodness of having children for granted. Therefore, we suggested that it is of limited assistance in our search for a convincing account of this activity in the current context. Neither did we find two contemporary theological accounts of having children to be of much help, primarily because they do not seem to appreciate how the good of procreation is related to the good of marriage and the family. Hence, we went on to explore the notion of the common good, which is an aspect of the Christian tradition which has tended to be overlooked in relation to the question of having children, but which may be significant in reviving our willingness to welcome them.

By examining the notion of the common good, and suggesting some of the ways in which it may enable us to begin to deconstruct the narrative of procreative liberty and to think differently about having children, a positive case for the good of having children has started to emerge. Furthermore, as some of the unexplored territory between the two contrasting attitudes towards contraception in contemporary society has begun to be opened up, the moral framework of the debate about contraception has been re-described, and initial insights into a fresh perspective on having children have been found. Indeed, an appreciation of the common good of our life together has enabled us to find the beginnings of a new mindset in relation to having children.

Conclusion

A) Introduction

This conclusion will enquire about the significance of this thesis for the ethics of contraception, Christian ethics more generally, and wider intellectual interests and concerns on which it may throw some light. While it will not provide a straightforward summary of the thesis, it will refer back to some of the issues raised in our earlier chapters in the course of attempting to indicate some of the broader implications of this thesis.

This thesis set out to examine the two key attitudes towards contraception found in contemporary society and to see whether there may be any unexplored moral ground between them. In the previous chapter, rather than finding a compromise between the attitude of moral indifference and that which regards contraception as illicit, we discovered some morally significant territory between them which revealed them to be false alternatives. In other words, while contraception is not wholly illicit, there are moral considerations about its use.

We went on to suggest that these moral considerations will revolve around questions about the good of having children. Indeed, the previously unexamined middle ground between the two contrasting attitudes towards contraception began to be opened up through a critique of the dominant contemporary attitudes towards having children in light of the notion of the common good. Our initial exploration of this middle ground enabled us to re-describe the moral framework of the debate about contraception in relation to the concept of the common good, from which the beginnings of a positive case for the good of having children began to emerge.

In this conclusion, we will suggest that the crucial significance of thinking about contraception in terms of the good of having children lies in the fact that welcoming children is at the very heart of the Gospel, and yet we live in a climate that is increasingly hostile towards them. We will begin by describing this hostility and noting how pervasive it is both

within the Church and wider society. We will then go on to suggest that finding a new perspective on the good of having children is vital if Christian ethics is to fulfil its task of recalling both church and society to that which is good. Finally, we will explore briefly how we might begin to extend a genuine welcome to children.[1]

B) Hostility towards having children

In chapter six, the significance of developing a positive case for the good of having children was highlighted by our study of the themes and layers which permeate the cultural discourse surrounding the current debate about having children. Among other things, this revealed that we are increasingly uncertain about *why* we might want to have children in the first place. We suggested that this might be indicative of the fact that we no longer understand having children to be constitutive of the human good. Indeed, the general expectation that we should now justify having children (rather than justify the use of contraception), may not only reveal an uncertainty about the goodness of this activity, but a deeper hostility towards it. It is within such a climate that thinking about contraception in terms of the good of having children is significant, and that developing a positive case for this good is a vital task for Christian ethics.

'Hostility' may seem a rather strong term to use in describing the general climate and attitude towards having children. Perhaps its use may be more applicable in situations which reveal a real depth of malice towards children (here we might include the one-child policy in China or the growth of child pornography on the internet). On the other hand, we seem to have forgotten the basic goodness of having children, or at least accepted misconceptions about the nature of this good, and this has created an atmosphere in which we are increasingly reticent to welcome the presence of children in our midst. Even in the Church, we are becoming increasingly unable to echo Jesus' words, 'let the little children come to

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[1] Some of the ideas in this chapter originated in a lecture entitled '"Let them come unto me": The Purpose of Childhood', which I gave with Chris Roberts at the South Bank Christian Studies Centre on 29 October 2002.

me.'[2] Andrew Cameron aptly describes this more subtle but increasingly pervasive form of hostility towards children:

> Kids are increasingly seen to exist entirely on adults' own terms. They exist only because adults let them. Children must argue harder, as it were, for us to allow them among us. They must prove their way into existence upon hostile terrain. They are like feared aliens, strangers who represent a danger if allowed to multiply amongst us.[3]

The growing climate of hostility towards having children, and childhood in general, is not only noted by various commentators, but was also raised by a recent Hollywood blockbuster and is frequently implied in anecdotal, everyday comments made about having children. Comments made to expectant parents, for example, often highlight the forthcoming restrictions on their personal autonomy, leisure time and employment choices, revealing the growing perception of children as an imposition on parental freedoms.

However, not only does our willingness to have children in the first place often seem to be restricted by how they will disturb our career and life plans, but we also have certain expectations about childhood and the way children should exist once they have entered our midst. So, Rowan Williams suggests that we have lost our commitment to childhood as a time of 'latency', a time 'before certain determinations and decisions have to be made', and instead we press children into 'adult or pseudo-adult roles as fast as possible'.[4] This is revealed by the way in which we treat the child as a consumer, an economic and a sexual subject. Williams states:

> [...] Children need to be free of the pressure to make adult choices if they are ever to *learn* how to make adult choices. For them to be free for irresponsibility and fantasy, free from the commitments of purchasing and consuming, is for them to have time to absorb what is involved in adult choice. Failure to understand this is losing the very *concept* of childhood. But it is just this failure to understand that is evident in the slippage in our public images and

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[2] Matthew 19: 14. Biblical quotations in this chapter will be taken from the New Revised Standard Version.
[3] Andrew Cameron, 'On Welcoming Children' (unpublished lecture to the College of Preachers, Australia, delivered on 16 September 2003), p. 4.
[4] Rowan Williams, *Lost Icons* (Edinburgh: T&T Clark, 2000), pp. 11-12.

> practices towards treating the child as a consumer, an economic and erotic subject, in ways which obscure the whole business of *learning to choose*.[5]

The growing culture of hostility towards having children and childhood, revealed in our expectation that children should exist on adults' own terms, is also one of the issues raised by a recent Hollywood comedy which tells the story of Tom and Kate Baker as they struggle to balance their careers with bringing up twelve children. In her review of *Cheaper by the Dozen*, Amy Laura Hall discusses how the film challenges current perceptions about having children which are deeply ingrained and encouraged within both Protestant churches and wider society.

Hall states that the key challenge of the film lies in the way it 'stretches "family" beyond the usual sentimental formulas of carefully controlled parenthood'.[6] Noting the reactions of some of the film critics she states:

> Catherine Graham of the *Santa Cruz Sentinel* says the appeal of Steve Martin and Bonnie Hunt as movie parents 'can't make the audience suspend disbelief and go along with the central premise: that a modern, educated, middle-class couple without apparent affiliations to the Mormon or Catholic churches find themselves living with twelve offspring.' Ben Goldstein of *Maxim* is even more blunt: 'all in all, it's a solid family comedy with a very important [...] message: always, *always* use condoms.'[7]

Such comments, Hall continues, reveal how the film challenges today's politics of family planning: 'in our era of meticulously calibrated reproduction, the Baker family breaks a taboo.'[8] Hall notes how the careful regulation of having children is encouraged within mainline Protestantism. She states, 'my own beloved *United Methodist Book of Resolutions*, for example, calls properly educated, middle-class Protestants to employ today's scientific means of well-timed begetting as an integral part of "responsible parenthood".'[9] In chapter one, we noted how this was also a significant theme at the 1958 Lambeth Conference.[10]

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[5] Williams, *Lost Icons*, p. 27.
[6] Amy Laura Hall, 'Full House: Breaking a Reproductive Taboo', *Christian Century*, 121:3 (10 February 2004), 9-10 (p. 9).
[7] Hall, p. 9.
[8] Hall, p. 9.
[9] Hall, p. 9.
[10] See p. 44.

Hall hints at how this move towards 'meticulously calibrated reproduction' has been bound up with the influence of eugenics and its emphasis on quality over quantity. In chapter six, we noted the current trend towards having fewer children in order to provide more adequately for their emotional and material welfare.[11] Certainly, we might agree that this trend reveals the subtle triumph of a key underlying principle of the eugenic agenda which we outlined in chapter one. The fact that we are now having fewer children may not be motivated by the nationalism which fuelled the original concern of eugenicists in the early-mid twentieth century, but we have certainly adopted their preference for quality over quantity.

Furthermore, just as we discussed the influence of arguments about overpopulation on the debate about having children in chapter six, Hall notes the current emphasis on ecological stewardship within Protestant churches and the prevalence of the notion that people should limit the number of children they have in order to preserve God's creation. However, she continues that *Cheaper by the Dozen* implicitly asks its viewers to question both the assumption that quality is better than quantity, and that having fewer children is the best way of preserving God's creation: 'the supposedly "one perfect" child next door is quite the awkward geek, and his supposedly earth-friendly mother spends more on his one birthday party than the Baker family probably spends on all twelve.'[12]

Therefore, is our use of contraception to carefully regulate having children really so far removed from the subtle form of hostility found in our expectation that children should exist on adults' own terms? Even among those who follow the one who said 'let the little children come to me', it appears that this may be the case. Hall certainly implies that there may be something more pernicious about our meticulous control of having children than we are often prepared to admit. Concluding her review of *Cheaper by the Dozen*, she states:

> This less than perfect comedy may prompt a serious and overdue conversation about reproduction among Christians whose ecclesial bodies encourage orderly procreation. *By whose rules are we playing?* In our unmitigated efforts to reproduce 'responsibly' are we

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[11] See pp. 205-6 and p. 237.
[12] Hall, p. 10.

> submitting to a culture increasingly intent on precluding the interruption of children? As we tell ourselves that our families are happier and stronger due to our diminished family size and newly enabled focus on careers, are we at least in part accommodating an economy conspicuously inhospitable to new life?[13]

C) The task of Christian Ethics

At its most basic, perhaps we might say that the task of Christian ethics is to offer both a prophetic voice of challenge and to sound notes of promise into the world. Michael Banner states:

> If sometimes, then, the Christian ethicist must say 'No', and say it with a certain resoluteness and determination, he or she knows just as well that this is not the first and proper word of Christian ethics, and that if it is said at all, it is said only for the sake of that proper word, which proclaims in each and every sphere of human life the liberation of that sphere by the liberating action of God in Christ. Thus Christian ethics may and must take as its proper theme not a negative but a wholly positive and evangelical one.[14]

This thesis is significant for both Christian ethics and for the world into which it speaks. In its challenge and its promise to the world, it serves as a reminder of the true nature of Christian ethics. If Christian ethics is to offer a prophetic voice of challenge to the world, then central to this task will be the unmasking of hidden assumptions and problematic presuppositions to which the world clings without question. Hence, perhaps the crucial challenge posed by this thesis lies in its revealing of a moral problem that too many people want to ignore, in its drawing attention to the fact that there are important moral considerations associated with the use of contraception, and that this is not an ethical subject which should be as readily dismissed as it is by many people today.

However, alongside this challenge a note of promise has been sounded. The theme of Christian ethics, as Banner suggests, is to be positive and evangelical. Its voice is to be proclamatory, recalling our attention to that which is fundamentally good about our created existence. In this thesis, from the re-framing of the question of contraception in relation to the

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[13] Hall, p. 10.
[14] Michael Banner, *Christian Ethics and Contemporary Moral Problems* (Cambridge: Cambridge University Press, 1999), p. 46.

question of the common good, a positive case for the good of having children has begun to emerge. If the culture at large is increasingly hostile to having children, then finding this sort of new perspective is vital if Christian ethics is to sound a note of promise and to fulfil its purpose of recalling both church and society to that which is good.

Indeed, in the particular task of attempting to find a positive case for the good of having children, perhaps it is more appropriate to describe the proper voice of Christian ethics as 'annunciatory': the note of promise that Christian ethics needs to announce today is that having children is good news. As John Paul II states:

> At the dawn of salvation, it is the Birth of a Child which is proclaimed as joyful news: 'I bring you good news of a great joy which will come to all the people; for to you is born this day in the city of David a Saviour, who is Christ the Lord' (Luke 2:10-11). The source of this 'great joy' is the Birth of the Saviour; but Christmas also reveals the full meaning of every human birth, and the joy which accompanies the Birth of the Messiah is thus seen to be the foundation and fulfilment of joy at every child born into the world (cf. John 16:21).[15]

If this thesis is able to serve as a reminder of the genuine nature and voice of Christian ethics, it has also highlighted some of the dangers involved when this voice is lost, or when only one dimension of it is allowed to be heard. For example, in chapter six we discussed Bishop Michael Nazir-Ali's article on marriage and the family.[16] In response to the widespread impression that the Church has failed to give a moral lead in the areas of sexual and family morality, Nazir-Ali's concern is that the 'Church's teaching on marriage and the family will continue to sound platitudinous unless there is a bite to it'.[17] This 'bite' includes the restatement of the traditional teaching that 'children are part of God's will for marriage unless there are very good reasons to the contrary'.[18] He continues, 'this kind of teaching will not always be popular but, in due course, society will see [...] that fidelity to the teaching of Christ and social flourishing go hand in hand.'[19]

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[15] John Paul II, *Evangelium Vitae* (Citta del Vaticano: Libreria Editrice Vaticana, 1995), p. 3.
[16] See pp. 197-8.
[17] Michael Nazir-Ali, 'Marriage, Family and the Church', *Rochester Link*, March 2000, p. 2.
[18] Nazir-Ali, p. 2. In view of our earlier discussion, it is interesting to note that the sentence immediately following states that 'the planning of a family is, however, part of our stewardship of creation.'
[19] Nazir-Ali, p. 2.

We might wonder about the intention behind this article. Perhaps the Bishop *intended* to provoke the storm it generated as an example of how the Church should provide a moral lead in 'an age of excessive self-regard'[20], sacrificially accepting the inevitable unpopularity as the cost of being the voice of challenge. But here lies the problem: the article is all challenge and no promise. At the end of this thesis, we may agree with the Bishop that children are part of God's will for marriage unless there are good reasons to the contrary. Furthermore, we may agree that the Church should not be afraid to speak this truth, but we may also hope that this truth will be spoken with a little more moral imagination than is found in Nazir-Ali's approach.

Indeed, given the nature of the article, the voice with which this truth is spoken can hardly be said to be the genuine voice of Christian ethics. For not only is this article all challenge and no promise, but it also speaks of having children in terms of a moral imperative when the authentic voice of Christian ethics will speak in terms of invitation and freedom. As we saw when we examined Barth on contraception in chapter five, living under the grace of God means that it is not that we *must* have children, but that we *may* have children.[21] It would therefore be difficult to come away from reading the Bishop's article with the impression that having children is good news. Indeed, while Nazir-Ali rightly concludes that 'the Church cannot become party to the grand project of social deconstruction which has already caused incalculable harm to the future of society', it is hard to see how this article fufils his hope of 'pointing people to Christ and to his way of love, care and sacrifice'.[22]

If Bishop Nazir-Ali's article serves as a helpful example of how the genuine nature of Christian ethics is not only to offer challenge but also promise, other issues raised in this thesis remind us of some of the dangers involved when Christian ethics loses its voice of challenge. For example, this thesis began by describing the way in which moral indifference towards contraception is currently as pervasive within the Church as it is within wider

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[20] Nazir-Ali, p. 2.
[21] See p. 166 and p. 179.
[22] Nazir-Ali, p. 2.

society. Most people, we suggested, tend to assume that the question of contraception is one which has been conclusively dealt with. In the case of Anglican moral theology, for example, it is often supposed that the 1930 Lambeth Conference settled any moral problems associated with its use, whereas, our analysis in chapter one revealed that there was hardly a full and careful discussion of the questions raised by contraception at this Conference.

The example of the discussions at the Lambeth Conference and the ensuing moral indifference towards contraception within Anglican moral theology illustrates some of the dangers involved when Christian ethics forgets that its voice is to be one of challenge. Indeed, this church's failure to appreciate that there may be important moral considerations associated with the use of contraception has meant that its voice on this subject has become increasingly indistinguishable from the voice of the world, and the voice of Christian ethics should always be distinct from the voices which surround it.

The question is, what is it that makes the voice of Christian ethics distinctive, that ensures it speaks as challenge? Developing a positive case for the good of having children in the current hostile environment will not necessarily ensure the distinctive nature of the voice of Christian ethics on this subject. Indeed, while the general climate is hostile, there are groups (such as the National Childbirth Trust) which are staunch defenders of the goodness of having children. Instead, it is *why* we think having children is a good thing to do which will distinguish the voice of Christian ethics. Oliver O'Donovan states, 'the foundations of Christian ethics must be evangelical foundations; or, to put it more simply, Christian ethics must arise from the Gospel of Jesus Christ. Otherwise it could not be *Christian* ethics.'[23] Hence, Christian ethics will only want to announce the good news about having children in light of *the* Good News of Jesus Christ, and only as it is faithful to this task will its voice remain distinctive.

In this thesis we have seen how the distinctive voice of Christian ethics has often been lost when thinking about contraception. For example, in chapter six we discussed the way in

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[23] Oliver O'Donovan, *Resurrection and Moral Order: An Outline for Evangelical Ethics*, 2nd edn (Leicester: Apollos, 1994), p. 11.

which Helen Stanton argues that having children is an additional vocation to that of marriage since the development of effective contraception.[24] We suggested that this is problematic because it implies that the invention of contraception has somehow changed the nature of marriage. Indeed, in this regard it is difficult to see how Stanton's argument differs substantially from the concept of procreative liberty; both seem to assume that our ethical starting point when thinking about having children is technology rather than God's purposes in and for marriage. It goes without saying that Christian ethics will want to engage with the ethical questions which are being raised by the rapid development of new technologies surrounding birth, but it will only find its proper way forward when it retains its specifically evangelical foundations. On the subject of contraception, this thesis has suggested that one such way forward is for Christian ethics to think about this question in light of the good news about having children, rather than technological developments.

If Christian ethics, therefore, is to undertake the task of announcing that having children is good news, and to do so in its genuine and distinctive voice, this thesis has also offered some clues as to *how* this announcement might be made. Crucially, if Christian ethics is to ensure that its voice is both one of genuine challenge and real promise then it will need to develop its moral imagination and appropriately frame the moral question at stake.

Nazir-Ali's challenge was quickly dismissed as inconsequential because he failed to do this. There is neither much moral imagination nor substantial challenge in telling a society which is convinced that having children is a choice and that marriage is primarily about romantic love that children are not an 'optional extra' in marriage and that there is a 'real lack' when there is an intention never to have children.[25] In contrast, because our re-framing of the question of contraception in terms of the common good arose out of our critique of the dominant contemporary attitudes towards having children, this thesis is able to offer both significant challenge and real promise. Essentially, we may agree with Nazir-Ali's sentiments about having children, but developing a positive case for the goodness of this activity is able

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[24] See pp. 222-4.
[25] Nazir-Ali, p. 2.

to go beyond his basic rebuke and offer people a new way of thinking about having children which will genuinely challenge assumptions and provide a promising alternative.

Equally, perhaps the real promise of this thesis lies in the way that we have re-framed the question of contraception in terms of the goodness of having children and so have moved the debate on beyond a basic repudiation of the Roman Catholic arguments and the contribution of the Protestant theologians. In the middle chapters of this thesis we treated the defences of Paul VI's encyclical *Humanae Vitae* offered by John Paul II and the Grisez School, and found their arguments against contraception wanting. Yet, while contraception may not be totally illicit, neither is it therefore appropriate to regard it with moral indifference, as was illustrated by chapter five's study of the moral considerations associated with its use found in the work of four Protestant theologians. However, because the main concern of these Protestant theologians (the reasons they consider necessary to justify the use of contraception) is at odds with a society which is now largely indifferent to the use of contraception, we recognised that a contemporary exploration of this moral question would need to be more appropriately framed.

This was therefore the task of chapter six. As a result of our critique of dominant contemporary attitudes towards having children, we re-framed the question of contraception in relation to the concept of the common good and a new perspective on having children began to be identified. Hence, the debate about contraception has now been moved on from a basic repudiation of the Roman Catholic arguments and the contribution of the Protestant theologians. Our re-framing of the question of contraception in terms of the good of having children has enabled us to offer both a prophetic voice of challenge and to sound some notes of promise into the world about the goodness of this activity. Christian ethics has started to find a new way to begin to announce again the good news about having children, one in which our willingness to welcome them may be revived by thinking about the notion of the common good.

D) 'Let the little children come to me'

We have suggested that in an environment which is increasingly hostile to having children and childhood in general, the note of promise that Christian ethics needs to sound is that having children is good news. In sounding this note, our attention is drawn back to the fact that welcoming children is at the heart of the Gospel and that the Christian community follows the one who said 'let the little children come to me'.[26] Yet our hostility towards having children betrays the fact that we are more often like the disciples who rebuked those who brought the children to Jesus than the Lord we claim to follow.[27]

This thesis has suggested that our willingness to welcome children may be revived by thinking about having them in relation to the concept of the common good, but what might such a welcome look like? How can we learn to welcome children as children rather than expecting them to exist on adults' own terms? What might it take for us to become more like Jesus in our welcome of children, for church and society to become places of hospitality to new life? Clues to these questions can be found represented in Rembrandt's portrayal of the loving embrace between father and son in his depiction of *The Return of the Prodigal Son*.[28] Welcoming children, we might suggest, will involve being able to stand in the place of the father and also to kneel in the place of the son.

Standing in the place of the father will involve allowing ourselves to grow from the place of the son into the place of the father; welcoming children will depend on knowing the difference between childhood and adulthood. In reflecting on Rembrandt's painting Henri Nouwen states, 'no father or mother ever became father or mother without having been son or daughter, but every son and daughter has to consciously choose to step beyond their childhood and become father and mother for others.'[29] Nouwen recognises how difficult it is to take the step towards being the father, especially given the subtle form of pressure in both

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[26] Matthew 19: 14.
[27] See Cameron, p. 1.
[28] Luke 15: 11-32.
[29] Henri Nouwen, *The Return of the Prodigal Son: A Story of Homecoming* (London: DLT, 1994), p. 121.

church and society to remain a dependent child. He notes, for example, that consumer society has encouraged us to 'indulge in childish self-gratification' and that we ourselves are constantly 'trying to escape the fearful task of fatherhood.'[30] Yet, this step to being the father, Nouwen suggests, will not only involve daring to carry the responsibility which belongs to a spiritually adult person, but also being 'free from the need to wander around curiously and to catch up with what I might otherwise perceive as missed childhood opportunities'.[31]

Similarly, Rowan Williams suggests that 'if children are to be allowed to be children, we have to ask about what prevents adults being adults'.[32] He continues, 'not only parents, but adults in general, adults in their social organisation and their political choices, have to grasp what is involved in becoming responsible for the nurture and induction into human society of new human subjects in process of formation.'[33] Like Nouwen, Williams recognises that society does not always help adults to grow beyond being childish adults or to become secure in their adult freedoms.[34] However, adults who revert to childlike behaviour are not in a good position to welcome or nurture children, as Williams concludes:

> A society that pushes us towards dependent and frustrated patterns of behaviour will not enable adults to be 'at home' with their limits and their choices in a way that makes it possible to welcome or nurture those who are bound to be dependent, who are still learning their own freedom.[35]

Therefore, it is only as adults learn what it is to be adults both socially and spiritually, so as they learn to stand in the place of Rembrandt's father, that they will truly be able to welcome children as children.

Furthermore, there is also profound theological significance in learning to stand in the place of the father. In discussing the Old Testament command, 'honour your father and your

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[30] Nouwen, pp. 122-123.
[31] Nouwen, p. 132.
[32] Williams, *Lost Icons*, p. 31.
[33] Williams, *Lost Icons*, p. 31.
[34] Williams, *Lost Icons*, p. 29.
[35] Williams, *Lost Icons*, p. 31.

mother',[36] Karl Barth states that 'the necessity and divine compulsion of this demand is rooted in the fact that from the standpoint of children parents have a Godward aspect, and are for them God's primary and natural representatives'.[37] Barth continues that 'no human father, but God alone, is properly, truly and primarily Father', yet it is 'of this Father's grace that, in correspondence to His own, there should exist a human fatherhood also'.[38] Therefore, according to Barth, human fatherhood may symbolise the Fatherhood of God. Or, in the terms of Rembrandt's painting, standing in the place of the father means being able to point beyond oneself to *the* Father.

However, it is here that the two roles in the painting intersect. For adults will only be able to fulfil their 'Godward aspect' if they know themselves first and foremost as the son who kneels before God the Father. Barth states, 'but every child of man - because Jesus Christ is his Brother - is primarily and truly the child of God'.[39] He continues:

> Hence God truly precedes him and prepares his paths. God is the real whence of his life - His divine action as Lord of the covenant and Lord of the world, His eternal counsel of grace. And so the slight seniority of parents over their children can remind the latter of the eternity and prior time of God from which they come.[40]

We might suggest, therefore, that adults need to recognise themselves primarily as *children* of God in order to fulfil their true calling as *adults*. Having a 'Godward aspect' and an ability to point beyond themselves to the Father is dependent upon adults knowing the significance of kneeling before this Father as the son. This seems to be the implication of what Jesus meant when he told the disciples to let the children come to him because 'it is to such as these that the kingdom of heaven belongs',[41] and elsewhere, that 'unless you change and become like children, you will never enter the kingdom of heaven'.[42] Childhood, as Rowan Williams identifies, is a time of dependency. Just as children are dependent upon adults, so

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[36] Exodus 20: 12.
[37] CD III/4, p. 245.
[38] CD III/4, p. 245.
[39] CD III/4, p. 246.
[40] CD III/4, p. 246.
[41] Matthew 19: 14.
[42] Matthew 18: 3.

only the adult who knows the extent of his dependency upon Jesus Christ will enter the kingdom of heaven.

Equally, it is the adult who knows her need of God as a child and her dependency on Christ, who is able to welcome children. Perhaps this is the implication of Barth's suggestion that the increased use of contraception is not simply the result of changed social conditions but also a general decline in faith. Barth comments that 'a certain degeneration and impoverishment of faith rather than outward circumstances undoubtedly plays some part' in the 'modern increase of carefulness in this direction'.[43] He continues that positive decisions *not* to use birth control 'ought to be made far more often than they are to-day on the basis of this confidence in life grounded in faith'.[44]

Thus, it is the adult who knows that he needs to kneel before the Father in utter vulnerability, dependence and humility who will truly be able to echo Jesus' words, 'let the little children come to me'. To genuinely be able to welcome those who will be utterly dependent upon us, and to allow them to be so, will first mean recognising our own dependency on Christ. This is a very different kind of welcome to the one which only allows children to come among us on adults' own terms, which meticulously controls when we have them and dictates how they should behave when they have arrived. For knowing ourselves in the place of the son, as the child who has been welcomed by the arms of the compassionate Father and who has received His unconditional love and merciful grace, frees us to welcome those who come to us in the same dependency and need as we have for Him. In their dependency, we are reminded of our own dependency on Christ. In welcoming them, we learn how to welcome Christ himself, for 'whoever welcomes one such child in my name welcomes me'.[45]

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[43] CD III/4, p. 272.
[44] CD III/4, p. 272.
[45] Matthew 18: 5.

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